

**JOSHUA RODRIGUEZ**  
**PLAINTIFF *PRO SE***  
**811 FLUSHING AVENUE APT. 16D**  
**BROOKLYN, N.Y. 11206**  
**TEL: 646-975-8838**

REC'D IN PRO SE OFFICE  
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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN STREET  
BROOKLYN, N.Y. 11201

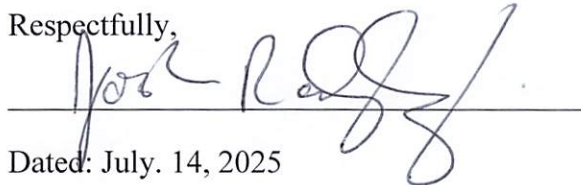
Hon. Ramon E. Reyes Jr.  
Hon. Lois Bloom

UNITED STATES DISTRICT JUDGES

DOCKET: 23-CV-08313-RER-LB  
RODRIGUEZ VS DUNN/ DET. SAVAGE

This letter is in regards of filing a "Motion for Reconsideration" due to having a non-experienced understanding of Lawsuit Proceedings and a Misinterpretation of the Law. As the Plaintiff *Pro Se*, I'm getting a better understanding of the Law and its requirements. Based on a recent decision on Docket: 23-CV-08313-RER-LB, Defendant Detective Declar Savage was Granted a Dismissal based on "FAILURE TO STATE A CLAIM" Dated: July 07, 2025. I as a Plaintiff would like to ask for an opportunity for Judges respectfully Hon. Ramon E. Reyes Jr. and Hon. Lois Bloom to oversee my part of the case involving my Motion for Reconsideration. I Plaintiff Joshua Rodriguez seek to keep my case strengthen as I have supporting evidence and more clarity, plausible on its face.

Respectfully,

  
Dated: July. 14, 2025

Joshua Rodriguez  
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Tel: (646)-975-8838  
Plaintiff / *Pro Se*

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JOSHUA RODRIGUEZ  
Plaintiff *Pro Se*

23CV-08313-RER-LB

-Against-

**MOTION FOR  
RECONSIDERATION**

LESLIE DUNN Investigator ACS Agency  
DECLAR SAVAGE N.Y.P.D. (Special Victims Unit)  
Defendants

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**INTRODUCTION**

Based on a recent decision Defendant Detective Declar Savage was Granted Dismissal on July 07, 2025 by "FAILURE TO STATE A CLAIM" on Docket: 23-CV-08313-RER-LB. I the Plaintiff will like an opportunity for Judges respectfully Hon. Ramon E. Reyes Jr. and Hon. Lois Bloom to oversee my part of the case involving my "Motion for Reconsideration". I Plaintiff Joshua Rodriguez seek to keep my case strengthen as I have supporting evidence and more clarity, plausible on its face.

**OBJECTION TO DEFENDANT MOTIONS**

After examining the Motions and Findings of Defendant Detective Declar Savage, the Defendant Exhibits does "Not" in any particular way demonstrates any Probable Cause for Plaintiff's Arrest. I Plaintiff Joshua Rodriguez visualized No Evident Materials, Merits or any Factual Findings to

make a Legal arrest based on Plaintiff Joshua Rodriguez *42 U.S.C. Section 1983* Amended Complaint Docket # *23-CV-08313-RER-LB* filed at the Eastern District Court 225 Cadman Street Brooklyn, N.Y. 11201. **(See Exhibit A)**

## **SUMMARY OF FACTS**

On December 3, 2020 Plaintiff Joshua Rodriguez gave the opportunity for ACS (Administration of Family and Children Services) 55 W125th Street New York, N.Y. 10027 to start hosting Supervised visits for the mother of Plaintiff's child Ordered by the Kings Family Court Brooklyn, N.Y. 11201. ACS Supervised visits was only for child's mother and "Not" the Plaintiff. Plaintiff child was residing with Plaintiff through a Court Ordered for about 4-5 weeks before December 3, 2020. A home visit from ACS to see and exam Plaintiff's child for injuries occurred 1 week before December 3, 2020. On this same day for child's first Supervised visits with her mother during Plaintiff's Drop-Off agreement, Defendant Dunn approached Plaintiff with a close fist swing to Plaintiff stomach and said "I heard about you" but Plaintiff had no idea what the Defendant meant when releasing his child to the Defendant. Now during the time for pickup of Plaintiff child from ACS Agency Plaintiff received a phone call 5 minutes before stating that ACS performed an "Emergency Removal" with no explanations. I Plaintiff then called 911 and filed a Police Report dated 12/03/2020 which Officer stated by ACS that ACS will conduct a Child Safety Conference 12/04/2020.

On December 4, 2020 Defendant Leslie Dunn was supposed to conduct a Child Safety Conference at 10:00AM, but "FAILED" to performed the Child Safety Conference. Instead Defendant ACS Investigator Leslie Dunn filed an Article 10 with the Kings Family Court 320 Jay Street Brooklyn, N.Y. 11201. **(See Exhibit B).**



December 10, 2020 Defendant ACS Investigator Leslie Dunn was given the Order by Hon. Emily Ruben at the Kings Family Court 320 Jay Street Brooklyn, N.Y. 11201 during the 1027 Hearing for the Plaintiff to do Services only, as the case remained pending. **(See Exhibit C)**. Plaintiff completed the Services at a rapidly timeframe just to prove his innocence to the Kings Family Courts and to retrieve his child back to his Temporary Custody once again, also Plaintiff obtain a Medical Marijuana License for Drug-Screening Services. **(See Exhibit C1)**.

As for Defendant Detective Declar Savage involvements with Plaintiff Joshua Rodriguez started on December 29, 2020 at approximately 5:30AM with N.Y.P.D. Officers approaching Plaintiff Joshua Rodriguez mother's apartment 811 Flushing Avenue Apt. 16D Brooklyn, N.Y. 11206 with a Search Warrant for Plaintiff Joshua Rodriguez arrest. At the moment no one was at the apartment to get any explanation. Plaintiff Joshua Rodriguez was notified about the N.Y.P.D. actions by neighbors that said N.Y.P.D. indeed had a Search Warrant in their possession when approaching Plaintiff Joshua Rodriguez mother's apartment. I the Plaintiff got in contact with my Private Attorney Lonnie Hart Jr. who practices Criminal Law Cases as he sought to get involved at exchange of a fee. Attorney Lonnie Hart Jr. was informed by communicating with Defendant Detective Declar Savage that Plaintiff Joshua Rodriguez has a Warrant and Plaintiff has to turn himself in at the SVU (Special Victims Unit) 45 Nevins Street Brooklyn, N.Y. 11217.

The Arrest location took place at SVU (Special Victims Unit) 45 Nevins Street Brooklyn, N.Y. 11217, as I Plaintiff Joshua Rodriguez surrendered voluntarily as I was appointed by my Attorney Lonnie Hart Jr. of the location, date and time to surrender based on a Warrant for Plaintiff Joshua Rodriguez Arrest. Before turning myself in I the Plaintiff Joshua Rodriguez and Attorney Lonnie Hart Jr. asked for any documents or photos pertaining the allegations and Defendant Detective Declar Savage claimed it was not available. **(See Exhibit D)**.

On 1/5/2021 at 4:00PM was the date of the Arrest and Central Booking process of Plaintiff Joshua Rodriguez. While interacting on the first question with Defendant Detective Declar Savage on a question about Plaintiff's residency, Defendant Savage insisted not to believe Plaintiff's answer. So, I Plaintiff Joshua Rodriguez decided to Reserve my Rights on any further questions forward. Defendant Declar Savage seemed angry when having doubt on Plaintiff's answer, when Plaintiff was just telling her the truth. I Plaintiff was then transported by two other Officers from SVU (Special Victims Unit) to Central Bookings for process wherein I was then finger printed there by one of the escorting Officers and taken a mugshot.

On 1/6/2021 I Plaintiff Joshua Rodriguez was released from Kings Criminal Court 120 Schermerhorn Street Brooklyn, N.Y. 11201 on (R.O.R.) Release on Recognizance with multiple pending charges on Docket # *CR-000541-21KN*. (See **Exhibit E**) with an Order of Protection for Plaintiff Joshua Rodriguez to Stay away from his child. (See **Exhibit E1**).

As for Defendant Declar Savage and the Kings Criminal Court 120 Schermerhorn Street Brooklyn, N.Y. 11201 District Attorney Meredith Abrams gathered together on this case on Plaintiff Joshua Rodriguez, involving 6 counts of Charges which included 1 Felony and 5 Misdemeanors. (See **Exhibit F**).

I Plaintiff Joshua Rodriguez decided to obtain the Medical Records from Harlem Hospital 506 Lenox Avenue New York, N.Y. 10037 where Plaintiff Child was taken based on the Allegations ACS initiated with the Article 10 Hearing at the Kings Family Court 320 Jay Street Brooklyn, N.Y.11201, that commenced on 12/03/2020. (See **Exhibit G**).

After reviewing the Medical Records and examining that Plaintiff Joshua Rodriguez child was well-appearing according to the Doctor's examination based on the allegations of the Emergency Removal. Family Court Attorney Kreuza Ganolli who was involved and representing Plaintiff in the Family Court proceedings told Plaintiff Joshua Rodriguez that Plaintiff can file a Lawsuit. **(See Exhibit H).**

I the Plaintiff collected all Case Letters from ACS (Administration for Family and Children Services) which Defendant Investigator Leslie Dunn included Plaintiff's mother so that she wouldn't be a resource to Plaintiff's child during the proceedings. **(See Exhibit I).**

I Plaintiff Joshua Rodriguez kept a journal of all interactions with Defendant ACS Investigator Leslie Dunn. During these visits hosted by Defendant Dunn, Defendant Dunn was making up false accusations and documenting Plaintiff with lies, one which includes interjecting a visit between Plaintiff and Plaintiff's child. Also, Defendant Dunn was resisting visits with the Plaintiff and blaming it on the Plaintiff's child. **(See Exhibit J)** *\*Plaintiff obtained a USB with these recordings if needed.*

Throughout the process Defendant Leslie Dunn claimed she wanted Plaintiff Joshua Rodriguez to engage with Therapeutic Visits which Plaintiff did "not" agree upon as Plaintiff reviewed the form of the Services and realized the location of the Services was "Not" a legit location, and when reaching out to the number no reply back was given just a voicemail. Plaintiff refused to do Services as he refused to sign any legal documents pertaining those Services. **(See Exhibit K).**

I, Plaintiff Joshua Rodriguez and Kings Family Court Attorney Kreuza Ganolli gathered together all information pertaining the case and formed an Affidavit to support my innocence. **(See**

**Exhibit L).**

Plaintiff Joshua Rodriguez child was residing with the MGM (Maternal Grandmother) temporarily through Foster Care as the case was pending between child's mother and Plaintiff. Defendant ACS Investigator Leslie Dunn removed the child from MGM care as Plaintiff pointed out MGM mental disorders as she was executed from being a Guardian for Plaintiff's child. (See **Exhibit M).**

Plaintiff's Child mother residency changed at the time during the Article 10 Family Case and SVU Criminal Case and Plaintiff wanted the ACS Case transferred because of the distance but Defendant ACS Investigator Leslie Dunn was resisting on passing the Case to the correct borough location of where Plaintiff Child resides. Plaintiff reached out and made 2 Complaints to 311 and Defendant Dunn then releases the case from the Harlem ACS Agency to the Brooklyn ACS Agency. (See **Exhibit N).**

ACS decided to Withdrawn their Article 10 which lead to Plaintiff's "Dismissal" at the Kings Family Court 320 Jay Street Brooklyn, N.Y. 11201 on File: 293639 Docket # *NN-11958-20* CPS# 6970186 (See **Exhibit O).**

As well as the SVU (Special Victims Unit) Criminal Case at Kings Criminal Court 120 Schermerhorn Street Brooklyn, N.Y. 11201, Plaintiff Joshua Rodriguez was Granted "Dismissal". Dated: 09/10/2021 by the way of "Insufficient Evidence" on Docket # *CR-000541-21KN*. (See **Exhibit P).**

After the case was Dismissed I Plaintiff Joshua Rodriguez placed a claim at the Comptroller's

Office. (See **Exhibit Q**). I the Plaintiff was given an opportunity for a 50-H Hearing as we discussed the Matter of the Claim and as the SVU (Special Victims Unit) case was mentioned during Plaintiff's questions. (See **Exhibit Q1**). Plaintiff Joshua Rodriguez was also told to preserve all evidence pertaining to the Allegations. For full transcript of the 50-H Hearing. (See **Exhibit Q2**).

During the 50-H Hearing I Plaintiff Joshua Rodriguez was given an Errata Sheet to complete any corrections if needed. Corrections was made and changes on the transcript based who was at fault which I Plaintiff Joshua Rodriguez included Defendant Declar Savage also the District Attorney of the Kings Criminal Court 120 Schermerhorn Street Brooklyn, N.Y. 11201. (See **Exhibit R**) \* *Details from Errata Sheet Page:58 Line:21*

Based on these Allegations Plaintiff was also listed on the SCR List (Statewide Central Registry) which a Fair Hearing given (See **Exhibit S**) and Plaintiff Joshua Rodriguez name was removed from listing, due to a settlement of "No Evidence" of Child Abuse. (See **Exhibit S1**).

Plaintiff Joshua Rodriguez contact OCFS (Office of Children and Family Services) and the Plaintiff provided information about the Fraud and Perjury of ACS Case Workers with information pertaining this Claim. And also, how ACS used their Power and Authority to go against innocent individuals. (See **Exhibit T**).

## **OUTRO: NOT TO DISMISS** **DEDENDANT DECLAR SAVAGE**

During the ability to see the Unsealed and Dismissed Criminal Case documents requested by Defendant Savage former Attorney Thomas Lai, I Plaintiff Joshua Rodriguez noticed

documentation of the Supreme Court which I as the Plaintiff was never "Indicted" as the case never went beyond Criminal Court. (See **Exhibit U**). I Plaintiff also noticed a document which consists Plaintiff child's name, under age minor of 6 years old to be precise to sign Legal Court documents. (See **Exhibit U1**). Additionally, as Plaintiff Joshua Rodriguez child not know the differences between a truth or a lie as Government Officials of the entity ACS (Administration of Children and Family Services) mainly Defendant Investigator Leslie Dunn was involved with controlling and manipulating all matters pertaining Plaintiff child.

Based on the Criminal Court Dismissal at the Kings Criminal Court 120 Schermerhorn Street Brooklyn, N.Y. 11201, I Plaintiff Joshua Rodriguez seeks to obtained Violations of my 4th Amendment (Arrest Defendant Detective Savage), 8th Amendment (Assaulted by Government Official Defendant Dunn) and 14th Amendment (Equal Protection and Due Process) Constitutional Rights. I the Plaintiff still suffer from Trauma, Pain and Suffering, Emotional Distress behind interactions with Defendant Detective Declar Savage and Defendant ACS Investigator Leslie Dunn.

As for Defendant Detective Declar Savage seeking Qualified Immunity, I Plaintiff Joshua Rodriguez request that offer be Denied. Defendant Detective Declar Savage has a history of multiple complaints, and Acting with bad behavior. I the Plaintiff discovered during a Public Search of how Defendant's personalities are based on Defendant Savage Complaints. (See **Exhibit V**). Plaintiff shares Defendant Detective Savage last Complaint reported in 2018 states Defendant Detective Savage Abuse of Authority: Threat to notify ACS. \* *Details on Page: 2*

I the Plaintiff continue to seek not to Dismiss Defendant Detective Declar Savage badge # 5757 from the case as a thoroughly investigation was not conducted which lead to Plaintiff Joshua

Rodriguez arrest. Malicious Acts and Acting Under the Color of Law without a chance to explore deeper into the evidence is Plaintiff Joshua Rodriguez argument as the case is far too premature to Dismiss Defendant Declar Savage for her Actions, as Plaintiff was Falsely Arrested/ Imprisonment which Defendant Claims for the SVU Case in Criminal Court was Dismissed due to Insufficient Evidence. \* *Details on Exhibit P*

*42 U.S.C. Section 1983* is a Federal Law that allows individuals to sue State and Local Government Officials for Violating their Constitutional Rights. False Imprisonment/ False Arrest consists of a 3 years Statue of Limitations which Plaintiff Joshua Rodriguez filed at the Eastern District of New York 225 Cadman Street Brooklyn, N.Y. 11201 before the 3 year timeframe. Plaintiff Mr. Rodriguez *42 U.S.C. Section 1983* Claim substituted the expired Comptroller Claim as Plaintiff Constitutional Rights was violated as there is a 3 years Statute of Limitations time for Plaintiff's False Imprisonment/ False Arrest Claims. I the Plaintiff inserted the *42 U.S.C. Section 1983* Dated on 11/08/2023 and Amended on 12/21/2023, wherein the 3 years expiration date Expires on 01/05/2024.

Plaintiff Joshua Rodriguez will like both Defendants Detective Declar Savage and ACS Investigator Leslie Dunn to remain on this Case and wish to continue to the next phases of Plaintiff's *42 U.S.C. Section 1983* Claim, hosted at the Eastern District Court of New York 225 Cadman Street Brooklyn, N.Y. 11201.

Dated: July 14, 2025

  
Joshua Rodriguez

Plaintiff *Pro Se*  
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Brooklyn, N.Y. 11206  
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# **EXHIBIT A**

★ Amend / Change . 12/21/2023

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

Joshua Rodriguez

*(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

**-against-**

(See Attachment.)

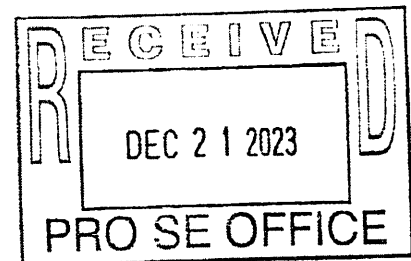
*(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)*

**Complaint for Violation of Civil  
Rights**

(Non-Prisoner Complaint)

Case No. 23CV8313  
(to be filled in by the Clerk's Office)

Jury Trial: ☐ Yes ☐ No  
(check one)



**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in *forma pauperis*.

**ORIGINAL**

**I. The Parties to This Complaint**

**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Joshua Rodriguez
Street Address	811 Flushing Ave. Apt. 16D
City and County	Brooklyn, Kings
State and Zip Code	N.Y. 11206
Telephone Number	646-975-8838
E-mail Address	hypebeast1204@icloud.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

**Defendant No. 1**

Name	City of New York.
Job or Title (if known)	
Street Address	100 Church St.
City and County	New York, N.Y.
State and Zip Code	N.Y. 10007
Telephone Number	
E-mail Address (if known)	

Defendant No. 2

Name Declar Savage  
Job or Title Detective NypD Shield # 5757  
(if known)  
Street Address 45 Nevins St.  
City and County Brooklyn, Kings  
State and Zip Code N.Y. 11217.  
Telephone Number 929-270-9415  
E-mail Address \_\_\_\_\_  
(if known)

Defendant No. 3

Name Daniel Cespedes  
Job or Title CPS Worker.  
(if known)  
Street Address 165-15 Archer Ave.  
City and County Jamaica, Queens  
State and Zip Code N.Y. 11433  
Telephone Number 718-883-7362  
E-mail Address \_\_\_\_\_  
(if known)

Defendant No. 4

Name Leslie Dunn  
Job or Title CPS Investigator  
(if known)  
Street Address 55 W 125<sup>th</sup> St.  
City and County New York, New York  
State and Zip Code N.Y. 10027  
Telephone Number 929-287-1786  
E-mail Address \_\_\_\_\_  
(if known)

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

- ☒ State or local officials (a § 1983 claim)  
☐ Federal officials (a *Bivens* claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Amendments : 4, 8, 14.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

ACS brought Perjury and False Evidence  
to impair my child from my Custody.  
Det. Savage had me detained for 24 hours.

**III. Statement of Claim**

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

Article 10 was brought to Family Court after their decision, ACS went to SVU and Police came knocking at my apartment 12/17/2020 and I surrendered 1/5/2021.

B. What date and approximate time did the events giving rise to your claim(s) occur?

Art. 10 Case - 12/4/2020  
Arrest - 1/5/2021

C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

On Dec. 3, 2020 ACS removed/seized my daughter from my custody for no reason. Dec. 10, 2020 Family Court believed ACS w/ no Evidence. Jan. 5, 2021 I Surrendered to SVU because a Warrant was issued due to the Allegations. Aug. 13, 2021 ACS withdraw in Family Court. Sept. 10, 2021 SVU Case in Criminal Court got Dismissed 1 Felony / 5 Misd. On Jan. 26, 2023 I Filed for a Fair Hearing for being on the Statewide Central Registry Listing and ACS settled w/ no Evidence.

**IV. Injuries**

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

I've missed out on 3 Christmas, 3  
Birthday's, 3 Father's Day, and also  
my daughter 5th grade graduation.

**V. Relief**

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

\$ 1,000,000.00	False Accusation / Emotions
\$ 500,000.00	False Arrest / Malicious Proc.

Total: \$ 1,500,000.00

**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12/21, 2023

Signature of Plaintiff

Josh Rodriguez

Printed Name of Plaintiff

Joshua Rodriguez



## **See Attachments:**

- 1.) The City of New York
- 2.) NYPD
- 3.) Administration of Children Services (ACS)
- 4.) Jewish Child Care Association (JCCA)

## **See Attachment Defendant List: 5-7**

**Defendant No. 5**

**Name: Kathleen Hobson**

**Title: CPS Supervisor**

**Street Address: 55 W 125th Street**

**City and County: New York, New York**

**State and Zip Code: N.Y. 10027**

**Telephone: (347)-389-2370**

**Defendant No. 6**

**Name: Shakia Wilkins- Burrell**

**Title: CPS Worker**

**Street Address: 55 W 125th Street**

**City and County: New York, New York**

**State and Zip Code: N.Y. 10027**

**Telephone: (646)-946-2130**

**Defendant No. 7**

**Name: Myrci Joseph**

**Title: Foster Care Social Worker**

**Street Address: 858 E 29th Street**

**City and County: Brooklyn, Kings**

**State and Zip Code: N.Y. 11210**

**Telephone: (917)-789-2912**

②

### **Notes: 2018-Present**

On Dec. 31, 2018 I Joshua Rodriguez filed an ACS Case on BM for placing London in a taxi alone from Queens to Brooklyn at the age of 5 years old. CPS Worker Daniel Cespedes was in charge of the Claim and put the Case "UNFOUNDED". During the time I tried reaching out to CPS Worker Daniel Cespedes and No-Reply, Calls/text & Voicemails. So I told myself something is up because in Family Court with London in my Custody (Temp.) my Attorney told me London is gonna have to go back to her mothers care due to CPS Worker Daniel Cespedes putting my Claim "UNFOUNDED" On the Appeal of the same Claim due to it being "UNFOUNDED" the first time when I filed the Report. I gave him the Police Report as well as an Add-on with a 5 finger slap print on London face that Estephani did months before the taxi incident. So I then go over to the Advocacy Room at 150 William Street and spoke to an Advocate named Ms. Morales, as I explained the situation with CPS Worker Daniel Cespedes and Estephani (BM). Ms. Morales herself said Do these 2 have something going on with each other? I replied yes it seems like it.

In 2020, As time went by I was given a tip from my daughter Grandmother (MGM) and she tells me one day how CPS Worker Daniel Cespedes work phone was Subpoenaed in Queens Family Court. (CPS Worker Marie Renelus-Wray) also confirmed that CPS Daniel Cespedes phone was Subpoenaed but didn't want to speak upon it. MGM said (BM Estephani) claims CPS Daniel Cespedes bribed her but she played a game on him and it was for him to put her serious Claim Unfounded for her, as they were having an Intimate Relationship (Boyfriend & Girlfriend) with each other because of my Claim of Estephani placing London alone in a taxi. The Claim was enough for her to go to Prison behind it and CPS Daniel Cespedes wasn't concerned about London. So I had to wait for Estephani to make another mistake and eventually it happened on August of 2020.

Aug. 20, 2020 I noticed my daughter and her little brother Sinclair Landers in Estephani car alone Unattended as I circled the area for parking for my vehicle. I then get to see London a few days later and my daughter tells me Dad, I replied yes darling she replied mommy and Michael was looking for you and they was riding around with a gun (Illegal-firearm) in the car. I immediately made a Claim to ACS and filed a Police Report. ACS then said it wasn't enough to bring to Court I told CPS Worker Shakia Wilkins-Burrell & Supervisor Kathleen Hobson, Are you serious? They both said yes it's not strong enough. I then went over myself to Family Court and Filed an Emergency Petition including I brought to the Courts attention how London hands had a chemical reaction due to acrylic nails and which I was granted Temp. Custody of London on Oct. 23, 2020. Claim was "FOUNDED".

\*Below is when things got personal with ACS & them deciding to be biased with taking BM side instead of what's best for London. Claim "UNFOUNDED" as I supported my Evidence.

Nov. 13, 2020, I filed another Claim with ACS on a Re-File of the incident of 2018 (Taxi Claim) and a recording of London saying how (BM Estephani) crashed her car with London brother in the car. During that Claim CPS Worker Shakia Wilkins-Burrell shows up Unexpectedly, same Worker involved months before in August 2020. I let her in my mothers apartment and CPS Worker Shakia Wilkins-Burrell examined and spoke to London about my call confidentially in London's bedroom. As well as CPS Worker

Shakia Wilkins-Burrell wasn't aware that London was living with me during her 2nd Home Visit. A conversation between my mother Ivette Rodriguez and CPS Worker Shakia Wilkins-Burrell came up about how London has been exposed to Hennessy under Estephani care. CPS Worker Shakia Wilkins-Burrell then questioned London about the Hennessy/ Alcohol Beverage. She asked London 5 questions about Hennessy and London answered it. But the questions were asked in front of (PGM) Ivette, Lori (my sister), and myself Joshua NOT Confidential in the room. During those questions I felt like she interrogated London as if she was a Criminal. Behind that we had got into some words (No profanity or Violence) just loud words over words and it got to a point I told CPS Worker Shakia Wilkins-Burrell to lower her tone of voice because she was yelling at me in front of London. I then said I called in for a Re-File of a Claim from 2018, I said Let's talk about that. CPS Worker Shakia Wilkins-Burrell then says you can forget about that, I then said that doesn't just get thrown under the rug I also said I was given a tip how the person who was in charge CPS Worker Daniel Cespedes phone was Subpoenaed and I know. I said you guys are no help I'm done talking, the door is right there when you finish.

I then was asked by ACS Supervisor Kathleen Hobson to bring London to a Visit to see Estephani & MGM at the ACS Agency in Manhattan 55 W125th Street, as Safe-Horizon was supposed to conduct the visits but due to the Pandemic they was prolonging time.

Referee Denise Valmè Lundy in Kings Family Court gave me the okay for ACS to conduct the visit. First Visit Dec. 3, 2020 ACS did an Emergency Removal for no reason Claiming Negligence/ Child Abuse. During Drop-Off Investigator Leslie Dunn recovered my child and as I waited for the elevator to leave the building Investigator Leslie Dunn threw a gut punch to my stomach (Assault) and she says I heard about you, I was Clueless. As I waited for the time to pick up London I get a phone call 5 mins before pick-up time and Supervisor Kathleen Hobson states that they doing an Emergency Removal with no explanations. I called 911 and Filed a Police Report because they was expecting reaction, which my reaction was to call the Police.

Dec. 4, 2020 ACS Supervisor Kathleen Hobson and Investigator Leslie Dunn was supposed to conduct a Child-Safety Conference at 10AM But it never happened. I went over to the 90th Precinct 2 hours later and on the Precinct Front Desk Record Book Officer noted that ACS never called for the Child-Safety Conference. Same day Investigator Leslie Dunn files a Neglect Case on me and left London with MGM in Foster Care.

Dec. 5, 2020 On a Saturday which I found weird, I got a phone call Anonymously asking if my name was Michael Landers I replied No. I then said who's this? They replied ACS I then replied No my name is Joshua Rodriguez. After I said that, we ended the conversation in which they didn't provide no more information on the reason of the phone call.

Dec. 10, 2020 Kings Family Court believed ACS with No evidence (Hospital Records/Photos) and due to ACS being favorable the Judge chose their side and I was told I had to do Visits and Services until next Court Date. Approximately 2 weeks later Detectives came knocking on my mother's apartment door looking for me. I then called my Attorney Lonnie Hart from (Criminal Court) and I had him called the Precinct to see what I was Wanted for. Lonnie then tells me I have to turn myself into SVU (Special Victims Unit). Lonnie spoke to Det. Savage before the arrest and asked her if ACS has any photos or any Documents and ACS Investigator Leslie Dunn admitted to Det. Savage that she "Lost" the photos. I hired him and then surrendered to SVU days later Jan. 5, 2021. After being detained for 24 hours released on R.O.R. with an Order of Protection, I told myself I didn't hit London let me get the Medical Records from the Hospital which I should of been gotten I told myself and I also said start recording these people they keep making stuff up that isn't true. The Medical Records states by the Doctor that London was Well- Appearing on the date of the Emergency Removal 12/3/2020. During the time Investigator Leslie Dunn asked me to write a letter stating I hit my child I told her if she was out of her mind during the 1st Visit as signing the Hippa Form to see London. Approximately a week After Investigator Leslie Dunn Interjected a visit which I have recorded. Following week (Phone Call Recording) Investigator Leslie Dunn claimed London pooped on herself on her way to a visit due to her being nervous as I got documented behind those Allegations that never happened. I have both recordings of Investigator Leslie Dunn claiming she spoke to London about her having an (Accident on herself) and the other recording me asking London if that ever happened and London was Clueless saying no that, that never happened. London was also engaged with Mental Health Services with Interborough Developmental Center behind these allegations which is wrong from ACS. Throughout the time I've asked Investigator Leslie Dunn to conduct the visits after 3pm due to the visits interfering with London's Education as the visits were from 10am-12pm, at that moment the Children were doing schooling Virtually (8am-2pm) as London was missing out 2 days of the week. I've Requested for the visits to be arranged to after 3pm due to the distance from Brooklyn to Manhattan, Investigator Leslie Dunn Denied my request. Also I've Requested a Report Card from London's School and my daughter grades were horrible and Investigator Leslie Dunn claims that London was doing very well in which I knew she wasn't. Based on some questions I gave to my Attorney while the disputing the Article 10 Case we caught Investigator Leslie Dunn lying in her Testimony's 2X twice, one time Honorable Glover said Ms. Dunn I wanna see you next Court Date but Dunn didn't show up as she sent over Supervisor Kathleen Hobson on that following Court Date. Throughout everything my daughter was residing with the MGM from the date of the Emergency Removal. As the Case went over to JCCA (Foster Care) MGM was then removed of having Guardianship as she suffers from Mental Health Disorders as I told Social Worker Myrci Joseph and the Case went back to ACS. So my daughter was given back to her mother as she herself has Mental Health problems as I have on Records but ACS said to the Courts that the mother is a fit parent but ACS Records show different. Somehow with ACS help BM Estephani got a (NYCHA) Housing transfer from Manhattan to Brooklyn. I then asked for a New Social Worker for my child since London doesn't reside in Manhattan anymore but Investigator Leslie Dunn wanted the Case to go back to Manhattan as she was resisting to pass the Case off to the Brooklyn ACS Agency. I had to call 311 twice and made 2 Complaints in order to get the Case transferred to Brooklyn ACS Agency. As going Back and forth in Family Court I was then asked if I wanted to plea to an ACD (twice) 2 Court Dates after each other. I replied I can't take that because I never hit London. If I hit London I'd take any ACD I told my Attorney but I didn't hit London. On

Aug. 13, 2021 ACS Withdraw their Neglect Hearing in Kings Family Court as for the Evidence I gathered and ACS also Withdraw in Criminal Court (SVU Case) with Insufficient Evidence on Sept. 10, 2021 After the Cases was over I've looked over the file of the Criminal Case (SVU-Case) and noticed how there's a mix of Criminal Court papers and Supreme Court papers while the Case never went to Supreme Court and I was never Indicted.

Throughout the time I've went towards 150 William Street again (2nd Time) and spoke to madam name Susan Sala as she took in my secondary Report.

Also as a note I went down to 180 Maiden Lane New York, N.Y. (NYC DOI of ACS) and got interviewed there from a woman name Alex & Kristen as I supplied them with my Evidence on the ACS workers that was involved on my case.

After the case was over I Requested State Records from OCFS Albany, N.Y. and the first time they sent me Michael Landers (BM other BF) Records. Then on my 2nd Request OCFS sent me Estephan which is BM name without the letter "i" in the ending, I suspect that's an alias name for me, this all starts from ACS Worker Daniel Cespedes. So after reviewing the Records I tone to notice where the Records are being tampered from the patterns of how it originally goes.

In the Ending of 2021 sometime in the last 3 months of that year I filed a Notice of Claim and had a 50-H Hearing which was completed successfully. I was sent over the Transcript from the 50-H with an Errata sheet to make corrections and I've submitted it back but was never given back any other information as I was told in the Hearing to preserve all my Evidence from the person who interviewed me at the 50-H.

As for May. 12, 2022 I discovered a TikTok Video of London with (2X) 12 inch Kitchen Knives, the video was given to me by my sister. I brought it to Kings Family Court attention because ACS won't do nothing about it if I told them. After reviewing the Family Court paperwork I found something awkward as Referee Valmè Lundy placed me under the Respondent and BM Estephani as the Petitioner on the Tik-Tok Allegations that I discovered as it happened under the mothers care not mines.

As for Jan. 26, 2023 I wanted to clear my name from the Statewide Central Registry's because I wasn't aware of my name being on it, and due to ACS withdraw I thought my name was cleared and I thought I was gonna retrieve my child back. I provided my Evidence for the SCR Hearing as ACS didn't show up and my name was removed from the SCR List due to ACS settling with No Evidence.

I've missed out on 3 Christmas, 3 Birthday's, 3 Father's Day, & London's 5th Grade Graduation as well.

Also note that NYPD also made a previous arrest 3-4 months on Domestic Violence/ Harassment before the SVU Case, wherein I surrendered & I was released through the backdoor of the Manhattan Courthouse as that case was Declined (Declined Prosecution).

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# **EXHIBIT B**

Secs. 1012, 1031 F.C.A.

(Child Protective)

FAMILY COURT OF THE STATE OF NEW YORK  
CITY OF NEW YORK, COUNTY OF KINGS

Attorney: JOHNSON, C

Judge:

-----x  
In the Matter of : Docket No: NN-11958-20  
:   
~~LESLIE ROSENBERG~~ :   
: PETITION NEGLECT CASE  
:   
A Child Under Eighteen Years :   
of Age Alleged to be Neglected by :   
:   
JOSHUA RODRIGUEZ :   
:   
: Child Protective Specialist:  
: LESLIE DUNN  
: ACS #: 6970186  
: Unit #: 437-4  
: Telephone: 646-695-6154  
:   
Respondent (s) :  
-----x

NOTICE: IF YOUR CHILD REMAINS IN FOSTER CARE FOR FIFTEEN (15) OF THE MOST RECENT TWENTY-TWO (22) MONTHS THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD.

TO THE FAMILY COURT:

The undersigned petitioner respectfully shows that:

1. Petitioner David A. Hansell, Commissioner of Administration for Children's Services, a Child Protective Agency with offices at 150 William Street, New York, New York, is authorized to file a petition under Article 10 of the Family Court Act.
2. ~~LESLIE ROSENBERG~~ is a female child under the age of eighteen years, having been born on ~~12/07/1992~~.



\_\_\_\_\_

\_\_\_\_\_

3. Said child resides at ~~300 E. 125th St. APT. 602, NEW YORK, NY, 10035.~~
4. The father of said child is  
or is alleged to be JOSHUA RODRIGUEZ who resides at 811 FLUSHING  
AVE APT 16D, BROOKLYN, NY, 11206.  
The father's date of birth is ~~05/11/1985~~.  
The mother of said child is ESTEPHANI RODRIGUEZ who resides at ~~100 E. 125th St. APT. 602, NEW YORK, NY, 10035.~~  
The mother's date of birth is ~~05/11/1985~~.
5. Prior to the filing of this petition, pursuant to Family Court Act  
Section (1024) said child was removed from the custody of the  
parent(s) or other person(s) legally responsible for the care of said  
child without court order on the 3rd day of December, 2020, at  
6:00pm.
6. There was not sufficient time to obtain a court order pursuant to  
Family Court Act Section 1022, because  
See Addendum II.
7. The removal of the child was necessary because  
  
See Addendum III.
8. (Upon information and belief), said child is a neglected child in  
that: (Specify grounds of neglect under Section 1012 of the Family  
Court Act.)  
See Addendum I.
9. (Upon information and belief),  
JOSHUA RODRIGUEZ , the Legal Father of said child  
is the person who is responsible for neglect of said child.
10. There currently is not reason to believe, or information that  
suggests or indicates that the child is a Native American child.

Petitioner is required to obtain education information and to provide that information to foster care providers and other parties to this proceeding. Unless otherwise obtained by release, Petitioner thus seeks a court order to obtain the education records (including special education records) of each child named in this petition who is not placed with a parent(s)/legal guardian(s), and a court order to provide such records to service providers where such records are necessary to enable the service provider to establish and implement a plan of service.

1. The first part of the document is a list of the names of the persons who were present at the meeting.

2. The second part of the document is a list of the names of the persons who were absent from the meeting.

3. The third part of the document is a list of the names of the persons who were present at the meeting.

4. The fourth part of the document is a list of the names of the persons who were absent from the meeting.

5. The fifth part of the document is a list of the names of the persons who were present at the meeting.

6. The sixth part of the document is a list of the names of the persons who were absent from the meeting.

7. The seventh part of the document is a list of the names of the persons who were present at the meeting.

VERIFICATION

STATE OF NEW YORK       )  
COUNTY OF KINGS       SS.:

LESLIE DUNN, being duly sworn, deposes and says that (s)he is employed by Administration for Children's Services, a Child Protective Agency; and is acquainted with the facts and circumstances of the above-entitled proceeding; that (s)he has read the foregoing petition and knows the contents thereof; that the same is true to (his) (her) own knowledge except as to those matters therein stated to be alleged upon information and belief, and that as to those matters (s)he believes it to be true.

Leslie Dunn

Digitally signed by Leslie  
Dunn  
DN: cn=2020.12.04  
1458:48.4500

Petitioner

David A. Hansell, Commissioner  
Administration for Children's  
Services

By: LESLIE DUNN  
Child Protective Specialist

Sworn to before me, this  
4th day of December 2020

Notary Public

ADDENDUM I

CASE NAME: ESTEPHANIE RODRIGUEZ  
CHILD NAME: LONDON RODRIGUEZ  
CASE NUMBER: 6970186  
DATE PET FILED: 12/04/2020

THE CHILD  
LONDON RODRIGUEZ (DOB 12/27/2012)

THE RESPONDENT  
JOSHUA RODRIGUEZ

LONDON RODRIGUEZ (D.O.B. [REDACTED]) is a child under eighteen years of age whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of her father, JOSHUA RODRIGUEZ (D.O.B. [REDACTED]), to exercise a minimum degree of care, in that:

1. The respondent father, Joshua Rodriguez, fails to provide the child with proper supervision or guardianship in that:

a. According to Kings County Family Court records, the family is known to the Court under an existing docket, V-08709-16/208, currently pending before Hon. Denise Valme-Lundy. According to Kings County Family Court records, the respondent filed an Order to Show Cause under that docket on October 5, 2020. According to Kings County Family Court records, that filing alleged that on or about August 24, 2020, the subject child [REDACTED] sustained a chemical injury to her hand, [REDACTED] said that she had seen her mothers paramour with a gun, and the mother had been driving with [REDACTED] in the front seat without a license, registration, or insurance. According to Kings County Family Court records, the respondent father was subsequently awarded temporary physical custody of [REDACTED] on or about October 15, 2020, and on or about November 24, 2020, the Court ordered that the mothers visitation with [REDACTED] be supervised.

b. According to ACS case records, on or about November 13, 2020, ACS Child Protective Specialist Shakia Wilkins-Burrell interviewed the subject child in the presence of the respondent and the paternal grandmother. According to ACS case records, the respondent told the subject child to tell CPS Wilkins-Burrell that her mother gave her alcoholic drinks. According to ACS case notes, when CPS Wilkins-Burrell asked the respondent not to tell the child what to say, the respondent became upset and aggressive, began to shout at her, and charged at her in what CPS Wilkins-Burrell believed to be an attempt at assaulting her. According to ACS case notes, the paternal grandmother physically intervened and held the respondent back from reaching CPS Wilkins-Burrell. According to ACS case notes, the subject child was present in the room and observed the entire incident.

c. On or about December 3, 2020, [REDACTED] came to the ACS field office for a supervised visit with her mother and was interviewed by the undersigned in the presence of the maternal grandmother. Initially, [REDACTED] stated that she has never been the subject of any physical discipline. The maternal grandmother told [REDACTED] that she could be honest with the undersigned, at which point [REDACTED] began crying uncontrollably. [REDACTED] reported that the respondent tells her to lie about what happens in the respondents home, that she is afraid of the respondent, and that he has hit her with the buckle on his belt on multiple occasions, most recently in November, a few days prior

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to December 3. London reported that these occasions left her with black and blue marks. London's crying then became hysterical and she further disclosed that people will regularly come to the respondent's home and give him money, and he will give them "green candy canes" in small plastic bags. London also reported that she sees the respondent smoking "candy canes" in the home. London was showed a picture of an actual candy cane and did not recognize what it was. According to London, the respondent tells her what she has to say to ACS workers and he has previously told her to lie to the prior worker on the case. London further reported that she had a phone call with her mother recently while the respondent claimed they were in New Jersey. According to London, they were actually at the case address and the respondent told her to say her phone screen was broken and to cover the cameras with black tape so that the mother would not learn that they were still at home.

2. The respondent father, Joshua Rodriguez, fails to provide the child London with proper supervision or guardianship by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment on the child in that:

a. Allegations 1a-1c are hereby realleged as if stated here in full.

WHEREFORE, as a result of the foregoing, the subject child is neglected pursuant to Article 10 of the Family Court Act of the State of New York.

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**ADDENDUM II**

**PURSUANT TO FAMILY COURT ACT SECTION 1031 (e) Petitioner states:**

1. ~~LEONARD ROSSIGNOL~~ was removed prior to filing this petition on  
3rd day of December, 2020 at 6:00pm.
2. The circumstances necessitating the removal of the child prior to filing a  
neglect or abuse petition are as follows:

☐ See allegation(s) in the petition;

☐ Petitioner assessed the child to be in such circumstances that the  
child's continuing in said place or residence or in the care and custody  
of the parent or other person legally responsible presented an imminent  
danger to the child's life and/or health if not immediately removed;

☐ Continuation in the home would be contrary to the child's best  
interests and under the circumstances, efforts to prevent or eliminate the  
need for removal were determined to be inappropriate;

☐ Other, explain:

3. This child was removed pursuant to:

☐ FCA 1021 (parental consent to temporary removal attached);

☐ FCA 1022 (court authorized removal);

☐ FCA 1024 (emergency removal without prior court authorization);

— —

**ADDENDUM III**

**REASONABLE EFFORTS TO PREVENT OR ELIMINATE THE NEED FOR REMOVAL OF CHILD  
FROM HOME**

1. The child ~~LEONARD R. [REDACTED]~~ was or should be removed pursuant to the provisions of the Family Court Act and applicable law.
2. The continuation of residence by the child in the child's home is or would be contrary to the welfare and best interests of the child and the temporary removal of said child from the child's place of residence is necessary to avoid imminent risk to the child's life or health. Continued placement of the child in the child's home would be contrary to the welfare and best interests of the child because:
3. ☒ Reasonable efforts to prevent or eliminate the need for the above-described removal, were provided prior to the date of the hearing as follows:
4. Imminent risk to the child would not be eliminated by the issuance of a temporary order of protection.

# **EXHIBIT C**

At a term of the Family Court of the State of New York, held in and for the County of Kings, at 330 Jay Street, Brooklyn, NY 11201, on December 10, 2020.

**PRESENT:** Hon. Emily Ruben

In the Matter of

**L. [REDACTED] R. [REDACTED]** (DOB: [REDACTED]),

A Child under Eighteen Years of Age  
Alleged to be Neglected by

**Joshua Rodriguez,**

Respondent.

**File #:** 293639

**Docket #:** NN-11958-20

**CPS #:** 6970186

**TEMPORARY REMOVAL  
ORDER AFTER 1027  
HEARING**

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

IT IS ORDERED that based on the record and for the reasons stated on the record;

IT IS ORDERED that the Court finds that continuation by the child, L. [REDACTED] R. [REDACTED] in the home of RESPONDENT FATHER, JOSHUA RODRIGUEZ would be contrary to the welfare and best interests of the child and temporary removal of the Subject Child from the child's father is necessary to avoid imminent risk to the child's life and health in light of circumstances that, the father has coached the child and used excessive corporal punishment on the child causing her great distress and fear; and it is further

ORDERED that the Court finds that imminent risk to the child would not be eliminated by the issuance of an order of protection; and it is further;

ORDERED that the Court finds that reasonable efforts were made as the family had a long history of ACS involvement; and it is further

ORDERED that (ANY Hospital) (ANY M.D.) is hereby authorized to provide such emergency medical or surgical procedures for the said child as may be necessary to safeguard the child's life or health; and it is further

ORDERED that Remand is granted and the child, L. [REDACTED] R. [REDACTED] is temporarily placed in the custody of ACS with a restrictive placement to the maternal grandmother. She is not to be removed from the maternal grandmother absent court order or a child protective emergency; and it is further

ORDERED that the matter is set for a permanency hearing for a date certain on June 21, 2021, subject to this date being reset by the assigned Judge; and it is further

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██████████

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██████████

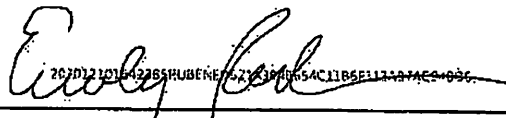
ORDERED that each parent shall have at least two (2) agency supervised visits per week with L[REDACTED] and the agency has discretion to allow for resource supervised visits for each parent; and it is further

ORDERED that neither parent and no adult relatives shall speak badly of the other parent or parent's family members in the presence of L[REDACTED]; and it is further

ORDERED that ACS is directed to provide all counsel with a service plan for Mr. Rodriguez no later than close of business tomorrow, 12/11/20.

Dated: December 10, 2020

ENTER

A handwritten signature in cursive script, appearing to read "Emily Ruben", is written over a horizontal line. Below the signature, a small, faint alphanumeric string "202012101542265HUBEN6211384654C1186F12110TAC-036" is visible.

Hon. Emily Ruben

**Check applicable box:**

- ☐ Order mailed on [specify date(s) and to whom mailed]: \_\_\_\_\_
- ☐ Order received in court on [specify date(s) and to whom given]: \_\_\_\_\_

# **EXHIBIT C1**



*The Parenting  
Training Network*

# CERTIFICATE OF ACHIEVEMENT

HEREBY WE CERTIFY THAT

## JOSHUA RODRIGUEZ

Has successfully completed a parenting evidence based program in

**PARENTING GUIDANCE SKILLS FOR ALL AGES PROGRAM**

Presented by: The Parenting training network workshops program.

12/16/ 2020

DATE



*Cynthia Spiller*

SIGNATURE



*The Parenting  
Training Network*

# CERTIFICATE OF ACHIEVEMENT

HEREBY WE CERTIFY THAT

## JOSHUA RODRIGUEZ

Has successfully completed a parenting evidence based program in

**ANGER MANAGEMENT PROGRAM**

Presented by: The Parenting training network workshops program.

12/18/2020

Date



*Cynthia Sanchez*

SIGNATURE



Department  
of Health

**Medical Marijuana Program**  
REGISTRY IDENTIFICATION CARD



RODRIGUEZ

JOSHUA

DOB: 12/04/1986

811 FLUSHING AVE APT  
BROOKLYN, NY 11206

ISSUE DATE: 12/10/2020

PATIENT







1-1064330117

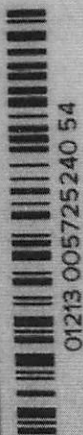
For questions regarding the New York State  
Department of Health Medical Marijuana Program contact:  
**1-844-863-9312 or [mmp@health.ny.gov](mailto:mmp@health.ny.gov)**

If found, please return in an envelope to:  
New York State Department of Health  
PO Box 2071  
Albany NY, 12220

**Medical marijuana must be kept in the original package, as  
dispensed by the registered organization. Public Health Law  
prohibits smoking medical marijuana.**



Department  
of Health



01213 005725240 54

# **EXHIBIT D**

9:47




Lonnie Hart >

Did you find out what it was about or she didn't describe it yet?

It's what you thought. Some bullshit about a faded bruise reported by the ACS worker. I asked if they had any photos and the detective admitted the ACS worker "lost" the photos so they don't have much.

# **EXHIBIT E**



 <b>New York City Police Department</b> <b>Omniform System - Arrests</b>																																																										
<b>RECORD STATUS: ARR PRC CMPL</b>						<b>Arrest ID: K21600609 - Q</b>																																																				
<b>Arrest Location: INSIDE OF 811 FLUSHING AVENUE</b>						<b>Pct: 090</b>																																																				
<b>APT: 16D</b>																																																										
<b>Arrest Date:</b> 01-05-2021		Processing Type: ON LINE		Current Location of Perpetrator:																																																						
<b>Time: 16:10:00</b>		DCJS Fax Number: KO000473		Borough: Brooklyn																																																						
Sector: C		Special Event Code: NO - NOT APPLICABLE		Type: ALL PD LOCATIONS																																																						
Strip Search Conducted: NO		DAT Number:		Location: CHILD ABUSE SQUAD BROOKLYN																																																						
Viper Initiated Arrest: NO		ICAD#																																																								
Stop And Frisk: NO		Return Date: 0000-00-00																																																								
Serial #: 0000-000-00000																																																										
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<b>Family Offense</b>																																																										
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2020-090-07113	2020-12-14	Valid, Initial Arrests made	2020-11-01	00:01																																																						
<b>CHARGES:</b>						<b>Arrest #: K21600609</b>																																																				
<table border="1"> <thead> <tr> <th>CHARGE</th> <th>ATTEMPT?</th> <th>LAW CODE</th> <th>CLASS</th> <th>TYPE</th> <th>COUNTS</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>TOP</td> <td>No</td> <td>PL 120.05 02 F</td> <td>D</td> <td></td> <td>3</td> <td>ASLT 2: SERIOUS INJ W/ WEAPON</td> </tr> <tr> <td>#02</td> <td>No</td> <td>PL 120.05 08 F</td> <td>D</td> <td></td> <td>3</td> <td>ASLT CAUS INJ PERSON &lt; 11 YRS</td> </tr> <tr> <td>#03</td> <td>No</td> <td>PL 260.10 01 M</td> <td>A</td> <td></td> <td>3</td> <td>ACT IN MANNER INJUR CHILD &lt; 17</td> </tr> <tr> <td>#04</td> <td>No</td> <td>PL 120.00 01 M</td> <td>A</td> <td></td> <td>3</td> <td>ASLT W/INT CAUSES PHYS INJURY</td> </tr> <tr> <td>#05</td> <td>Yes</td> <td>PL 265.01 02 M</td> <td>A</td> <td></td> <td>3</td> <td>CRIM POSS WEAP-4TH:INT TO USE</td> </tr> <tr> <td>#06</td> <td>No</td> <td>PL 240.26 01 V</td> <td>O</td> <td></td> <td>3</td> <td>HARASSMENT-2ND:PHY CONTACT</td> </tr> </tbody> </table>										CHARGE	ATTEMPT?	LAW CODE	CLASS	TYPE	COUNTS	DESCRIPTION	TOP	No	PL 120.05 02 F	D		3	ASLT 2: SERIOUS INJ W/ WEAPON	#02	No	PL 120.05 08 F	D		3	ASLT CAUS INJ PERSON < 11 YRS	#03	No	PL 260.10 01 M	A		3	ACT IN MANNER INJUR CHILD < 17	#04	No	PL 120.00 01 M	A		3	ASLT W/INT CAUSES PHYS INJURY	#05	Yes	PL 265.01 02 M	A		3	CRIM POSS WEAP-4TH:INT TO USE	#06	No	PL 240.26 01 V	O		3	HARASSMENT-2ND:PHY CONTACT
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How Arrest came about:			# Injuries: 00	# Fatalities: 00	Test Given:		Reason Vehicle Not Forfeit:																																																			
Blood Specimen Taken:	Blood Specimen Refused:	Urine Specimen Taken:	Urine Specimen Refused:	Oral Fluid Specimen Taken:	Oral Fluid Specimen Refused:	Breath Sample Refused:	Breath Sample Reading:	BrAC: 0.0																																																		
Role: IDTU Technician	Department: NYPD	Tax: 0	Command:	Shield: 0	Rank:	Last Name:	First Name:	MI: IDTU/Blood Case No:																																																		
Role: Point Person	Department:	Tax:	Command:	Shield:	Rank:	Last Name:	First Name:	MI:																																																		
Role: Supv in Charge of Checkpoint	Department:	Tax:	Command:	Shield:	Rank:	Last Name:	First Name:	MI:																																																		
<b>DETAILS:</b>						<b>Arrest #: K21600609</b>																																																				
Was the defendant recording police-related activity at time of arrest? NO																																																										
PURSUANT TO A CONFIDENTIAL INVESTIGATION RECEIVED FROM THE KINGS COUNTY DISTRICT ATTORNEY'S OFFICE, REGARDING AN ALLEGATION OF CHILD ABUSE. THIS CASE IS BEING INVESTIGATED BY DET. SAVAGE, BKCAS. CASE #1455. SUBSEQUENTLY THE CV WAS FORENSICALLY INTERVIEWED AT THE BROOKLYN CHILD ADVOCACY CENTER AND DISCLOSED																																																										



BEING STRUCK WITH THE METAL PART OF A BELT ON HER THIGH AREA OF HER LEGS ON (2) SEPARATE OCCASSIONS AT HER FATHER'S HOME BY HER FATHER. ONE TIME AT HER PGM HOME BY HER FATHER, DURING THE MONTH OF NOVEMBER. CV STATES, SHE HAD BRUISES AND CAUSED HER PAIN. CV IS 7 YEARS OLD AND SUBJECT IS 33.

**DEFENDANT: RODRIGUEZ, JOSHUA**

NYSID #:

Arrest #: K21600609

Gang/Crew Affiliation: NO

Name:

Identifiers:

LOCATION	ADDRESS	CITY	STATE/CNTRY	ZIP	APT/ROOM	PCT
HOME-PERMANENT						

Phone # and E-Mail Address:

HOME: REFUSED

CELL: REFUSED

BUSINESS: REFUSED

E-MAIL: REFUSED

N.Y.C.H.A. Resident: YES

N.Y.C. Housing Employee: On Duty:

Development: BUSHWICK N.Y.C. Transit Employee:

Physical Force: NONE

Gun:

Weapon Used/Possessed: NONE

Make:

Recovered:

Non-Firearm Weapon:

Color:

Serial Number Defaced:

Other Weapon Description:

Caliber:

Serial Number:

Type:

Discharged: NO

Used Transit System: NO

Station Entered:

Time Entered:

Metro Card Type:

Metro Card Used/Poses:

Card #:

**CRIME DATA**

**DETAILS**

MODUS OPERANDI

UNKNOWN

ACTIONS TOWARD VICTIM INJURY USING PHYSICAL FORCE

CLOTHING

OUTERWEAR - SNORKEL, SKI, HOODED JACKET - BLACK

CLOTHING

ACCESSORIES - SWEAT / JOGGING CLOTHES - GRAY

CLOTHING

FOOTWEAR - SNEAKERS - MULTI COLORED OR STR

CLOTHING

HEADGEAR - OTHER - GREEN

CHARACTERISTICS

GOATEE

BODY MARKS

ARM - TATTOO WITH WORDS ONLY - DESCRIBE: LONDON

IMPERSONATION

UNKNOWN

<b>JUVENILE DATA:</b>		Arrest #: K21600609	
Relative Notified: Personal Recog:			
Number Of Priors: 0		Name:	
School Attending:		Phone Called:	
Mother's Maiden Name:		Time Notified:	
<b>ASSOCIATED ARRESTS:</b>		Arrest #: K21600609	
ARREST ID COMPLAINT #			
No Vehicles for Arrest #			
<b>DEFENDANTS CALLS:</b>		Arrest #: K21600609	
CALL # NUMBER DIALED NAME - PROVIDED BY DEFENDANT NAME AS LISTED IN CELL PHONE RELATIONSHIP CALL COMPLETED			
1	--	REFUSED, REFUSED	REFUSED NO
<b>INVOICES:</b>		Arrest #: K21600609	
INVOICE# COMMAND PROPERTY TYPE VALUE			
<b>ARREST RULES:</b>		Arrest #: K21600609	
ORIGINAL ARREST PROCESSING TYP : 0			
OFFENCE DATE : 11/01/2020			
AGE AT TIME OF OCCURRENCE : 33			
AGE BAND : C_RTA_2019			
JUV. OFFENDER CHARGE : , IS JUV. OFFENDER : FALSE			
JUV. DELINQUENT CHARGE : , IS JUV. DELINQUENT : FALSE			
JUV. ADOLESCENT CHARGE : , IS ADOLESCENT : FALSE			
<b>ARRESTING OFFICER: DT3 DELCAR S SAVAGE</b>		Arrest #: K21600609	
Tax Number: 943021		On Duty: NO	
Other ID (non-NYPD): 0		In Uniform: NO	
Shield: 5757		Squad: D	
Department: NYPD		Chart: 99	
Command: 674		Primary Assignment: INVESTIGATIVE	
Force Used: NO - No Force Used by any MOS		Type:	
Reason:		Officer Injured: NO	
Officer Body Worn Camera: NO		TRI Number: 0000-000-00000 Suffix: 0	
Arresting Officer Name:	Tax #:	Command:	Agency:
DT3 SAVAGE, DELCAR S	943021	674	NYPD
Supervisor Approving:	Tax #:	Command:	Agency:
SGT EILL BENJAMIN D	941008	674	NYPD
Report Entered by:	Tax #:	Command:	Agency:
DT3 SAVAGE, DELCAR	943021	674	NYPD
END OF ARREST REPORT K21600609			
Print this Report			

CRIMINAL COURT OF THE CITY OF NEW YORK  
EAST AFRICAN COURT OF KINGS

THE PEOPLE OF THE STATE OF NEW YORK

STATE OF NEW YORK  
COUNTY OF KINGS

JOSHUA RODRIGUEZ

DETECTIVE DELCAR SAVAGE SHIELD NO. 3757, OF 674 CORPUS SAYS THAT ON OR ABOUT  
AND BETWEEN NOVEMBER 01, 2020 12:01 AM AND NOVEMBER 30, 2020 11:59 PM AT 811  
FLUSHING AVENUE COUNTY OF KINGS, STATE OF NEW YORK,

THE DEFENDANT COMMITTED THE OFFENSE(S) OF:

PL 120.05(2)	ASSAULT IN THE SECOND DEGREE (DOO)
PL 120.14(1)	HEMACEING IN THE SECOND DEGREE (DOO)
PL 260.10(1)	ENDANGERING THE WELFARE OF A CHILD (DOO)
PL 260.01(2)	CRIMINAL POSSESSION OF A WEAPON IN THE FOURTH DEGREE
PL 120.15	HEMACEING IN THE THIRD DEGREE (DOO)
PL 240.26(1)	HARASSMENT IN THE SECOND DEGREE

IN THAT THE DEFENDANT DID:

WITH INTENT TO CAUSE PHYSICAL INJURY TO ANOTHER PERSON, CAUSE SUCH INJURY TO  
SUCH PERSON OR TO A THIRD PERSON BY MEANS OF A DEADLY WEAPON OR A DANGEROUS  
INSTRUMENT, INTENTIONALLY PLACE OR ATTEMPT TO PLACE ANOTHER PERSON IN REASONABLE  
FEAR OF PHYSICAL INJURY, SERIOUS PHYSICAL INJURY OR DEATH BY DISPLAYING A DEADLY  
WEAPON, DANGEROUS INSTRUMENT OR WHAT APPEARED TO BE A PISTOL, REVOLVER, RIFLE,  
SHOTGUN, MACHINE GUN OR OTHER FIREARM; BY PHYSICAL MENACE, INTENTIONALLY PLACE  
OR ATTEMPT TO PLACE ANOTHER PERSON IN FEAR OF DEATH, IMMINENT SERIOUS PHYSICAL  
INJURY OR PHYSICAL INJURY; WITH INTENT TO HARASS, ANNOY OR ALARM ANOTHER PERSON,  
STRIKE, SHOVE, KICK OR OTHERWISE SUBJECT SUCH OTHER PERSON TO PHYSICAL CONTACT,  
OR ATTEMPT OR THREATEN TO DO THE SAME; KNOWINGLY ACT IN A MANNER LIKELY TO BE  
INJURIOUS TO THE PHYSICAL, MENTAL OR MORAL WELFARE OF A CHILD LESS THAN  
SEVENTEEN YEARS OLD OR DIRECT OR AUTHORIZE SUCH CHILD TO ENGAGE IN AN OCCUPATION  
INVOLVING A SUBSTANTIAL RISK OF HARM TO HIS OR HER LIFE OR HEALTH; POSSESS ANY  
DAGGER, DANGEROUS KNIFE, PINK, MACHETE, RAZOR, STILETTO, IMITATION PISTOL, OR  
ANY OTHER DANGEROUS OR DEADLY INSTRUMENT OR WEAPON WITH INTENT TO USE THE SAME  
UNLAWFULLY AGAINST ANOTHER.

THE SOURCE OF DEFENDANT'S INFORMATION AND THE GROUNDS FOR DEFENDANT'S BELIEF ARE  
AS FOLLOWS:

DEFENDANT IS INFORMED BY LONDON RODRIGUEZ THAT, ON OR ABOUT THE ABOVE TIMES AND  
PLACE, THE DEFENDANT DID ON MULTIPLE OCCASIONS DID STRIKE THE INFORMANT ABOUT  
THE INFORMANT'S LEGS

THE DEFENDANT IS FURTHER INFORMED BY THE INFORMANT THAT THE INFORMANT'S BIRTHDATE  
IS DECEMBER, 27, 2012.

THE DEFENDANT IS FURTHER INFORMED BY THE INFORMANT THAT THE ABOVE DESCRIBED  
ACTIONS CAUSED INFORMANT TO SUFFER BRUISING ABOUT THE INFORMANT'S LEGS, TO  
SUFFER SUBSTANTIAL PAIN AND TO BECOME ALARMED AND ANNOYED

FALSE STATEMENTS MADE IN THIS DOCUMENT ARE  
PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT  
TO SECTION 210.45 OF THE PENAL LAW.

01-05-2021  
DATE

SIGNATURE

643-4

# **EXHIBIT E1**

ORI No: NY023033J  
Order No: 2021-000255  
NYSID No: 02113942K  
CJTN No:

Criminal Form 1-1/2020  
At a term of the Kings Criminal Court, County of Kings, at the Courthouse at 120  
Schermmerhorn St., Brooklyn, NY 11201, State of New York

PRESENT: Honorable Edwin I. Novillo

ORDER OF PROTECTION  
Family Offenses - C.P.L. 530.12

PEOPLE OF THE STATE OF NEW YORK

- against -

JOSHUA RODRIGUEZ,  
Defendant

DOB: 12/04/1986

Charges: PL 120.05 02 DF Aslt W/Int Cause Ph Inj WAYeap, 6 count(s) of D Fel, 6 count(s) of  
A Misd, 3 count(s) of B Misd

☐ Youthful Offender (check if applicable)

Part: APARI

Case No: CR-000541-21KN

Defendant Present in Court

NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CONTEMPT OF COURT. IF THIS IS A TEMPORARY ORDER OF PROTECTION AND YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND CONTINUE IN EFFECT UNTIL A NEW DATE SET BY THE COURT.

THIS ORDER OF PROTECTION WILL REMAIN IN EFFECT EVEN IF THE PROTECTED PARTY HAS, OR CONSENTS TO HAVE, CONTACT OR COMMUNICATION WITH THE PARTY AGAINST WHOM THE ORDER IS ISSUED. THIS ORDER OF PROTECTION CAN ONLY BE MODIFIED OR TERMINATED BY THE COURT. THE PROTECTED PARTY CANNOT BE HELD TO VIOLATE THIS ORDER NOR BE ARRESTED FOR VIOLATING THIS ORDER.

☒ TEMPORARY ORDER OF PROTECTION - Whereas good cause has been shown for the issuance of a temporary order of protection [as a condition of: recognizance]

☐ ORDER OF PROTECTION - Whereas defendant has been convicted of [specify crime or violation]:

And the Court having made a determination in accordance with section 530.12 of the Criminal Procedure Law,

IT IS HEREBY ORDERED that the above-named defendant JOSHUA RODRIGUEZ (DOB: 12/04/1986) observe the following conditions of behavior:

[01] Stay away from (A) L. [REDACTED]

[B] the home of L. [REDACTED]

[C] the school of L. [REDACTED]

[D] the business of L. [REDACTED]

[E] the place of employment of L. [REDACTED]

[14] Refrain from communication or any other contact by mail, telephone, e-mail, voice-mail or other electronic or any other means with L. [REDACTED]

[02] Refrain from assault, stalking, harassment, aggravated harassment, menacing, reckless endangerment, strangulation, criminal obstruction or breathing or circulation, disorderly conduct, criminal mischief, sexual abuse, sexual misconduct, forcible touching, intimidation, threats, identity theft, grand larceny, coercion, unlawful dissemination or publication of intimate image(s) or any criminal offense against L. [REDACTED]

[12] Surrender any and all handguns, pistols, revolvers, rifles, shotguns and other firearms owned or possessed, including, but not limited to, the following: ALL FIREARMS and do not obtain any further guns or other firearms. Such surrender shall take place immediately, but in no event later than IMMEDIATELY at LOCAL PRECINCT.

[99] Observe such other conditions as are necessary to further the purposes of protection: NO-THIRD PARTY CONTACT.

[99] Observe such other conditions as are necessary to further the purposes of protection: SUBJECT TO SUPREME COURT ORDERS AND/OR FAMILY COURT ORDERS RE: CUSTODY & VISITATION;

IT IS FURTHER ORDERED that the above-named Defendant's license to carry, possess, repair, sell or otherwise dispose of a firearm or firearms, if any, pursuant to Penal Law §400.00, is hereby [13A] suspended, and [13C] the Defendant shall remain ineligible to receive a firearm license during the period of this order.

IT IS FURTHER ORDERED that this order of protection shall remain in force until and including 07/31/2021, but if you fail to appear in court on this date, the order may be extended and continue in effect until a new date set by the Court.

DATED: 01/06/2021

☒ Defendant advised in Court of issuance and contents of Order.

☒ Order to be served by other means [specify]: Other

☐ Warrant issued for Defendant

☒ Order personally served on Defendant in Court

Honorable Edwin I. Novillo

(Defendant's signature)

☒ ADDITIONAL SERVICE INFORMATION: Other: Virtual Arraignment

The Criminal Procedure Law provides that presentation of a copy of this order of protection to any police officer or peace officer acting pursuant to his or her special duties shall authorize and in some situations may require, such officer to arrest a defendant who is alleged to have violated its terms and to bring him or her before the Court to face penalties authorized by law.

Federal law requires that this order be honored and enforced by state and tribal courts, including courts of a state, the District of Columbia, a commonwealth, territory or possession of the United States, if the person against whom the order is sought is an intimate partner of the protected party and has been or will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (18 USC §§2265, 2266)

It is a federal crime to:

- cross state lines to violate this order or to stalk, harass or commit domestic violence against an intimate partner or family member,

- buy, possess or transfer a handgun, rifle, shotgun or other firearm or ammunition while this Order remains in effect (Note: there is a limited exception for military or law enforcement officers but only while they are on duty); and

- buy, possess or transfer a handgun, rifle, shotgun or other firearm or ammunition after a conviction of a domestic violence-related crime involving the use or attempted use of physical force or a deadly weapon against an intimate partner or family member, even after this Order has expired. (18 U.S.C. 922(g)(8), §§922(g)(9), 2261, 2261A, 2262).

SECRET

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SECRET

# **EXHIBIT F**

CRIMINAL COURT OF THE CITY OF NEW YORK  
PART DV-FC COUNTY OF KINGS

THE PEOPLE OF THE STATE OF NEW YORK

STATE OF NEW YORK  
COUNTY OF KINGS

V

JOSHUA RODRIGUEZ

KINGS COUNTY ASSISTANT DISTRICT ATTORNEY MEREDITH ABRAMS SAYS THAT ON OR ABOUT OR  
BETWEEN NOVEMBER 1, 2020 AT 12:01 AM AND DECEMBER 31, 2020 AT 11:59 PM 811 FLUSING  
AVENUE COUNTY OF KINGS, STATE OF NEW YORK,

THE DEFENDANT COMMITTED THE OFFENSE(S) OF:

PL 120.00(1)	ASSAULT IN THE THIRD DEGREE (DQO)
PL 260.10(1)	ENDANGERING THE WELFARE OF A CHILD (DQO)
PL 110/120.00(1)	ATTEMPTED ASSAULT IN THE THIRD DEGREE (DQO)
PL 120.14(1)	MENACING IN THE SECOND DEGREE (DQO)
PL 120.15	MENACING IN THE THIRD DEGREE (DQO)
PL 240.26(1)	HARASSMENT IN THE SECOND DEGREE
PL 265.01(2)	CRIMINAL POSSESSION OF A WEAPON IN THE FOURTH DEGREE
PL 110/120.00(1)	ATTEMPTED ASSAULT IN THE THIRD DEGREE (DQO)

IN THAT THE DEFENDANT DID:

WITH INTENT TO CAUSE PHYSICAL INJURY TO ANOTHER PERSON, CAUSE SUCH INJURY TO SUCH  
PERSON OR TO A THIRD PERSON; WITH INTENT TO CAUSE PHYSICAL INJURY TO ANOTHER PERSON,  
ATTEMPT TO CAUSE SUCH INJURY TO SUCH PERSON OR TO A THIRD PERSON; BY PHYSICAL MENACE,  
INTENTIONALLY PLACE OR ATTEMPT TO PLACE ANOTHER PERSON IN FEAR OF DEATH, IMMINENT  
SERIOUS PHYSICAL INJURY OR PHYSICAL INJURY; WITH INTENT TO HARASS, ANNOY OR ALARM  
ANOTHER PERSON, STRIKE, SHOVE, KICK OR OTHERWISE SUBJECT SUCH OTHER PERSON TO PHYSICAL  
CONTACT, OR ATTEMPT OR THREATEN TO DO THE SAME; KNOWINGLY ACT IN A MANNER LIKELY TO BE  
INJURIOUS TO THE PHYSICAL, MENTAL OR MORAL WELFARE OF A CHILD LESS THAN SEVENTEEN  
YEARS OLD OR DIRECT OR AUTHORIZE SUCH CHILD TO ENGAGE IN AN OCCUPATION INVOLVING A  
SUBSTANTIAL RISK OF DANGER TO HIS OR HER LIFE OR HEALTH.

THE SOURCE OF DEPONENT'S INFORMATION AND THE GROUNDS FOR DEPONENT'S BELIEF ARE AS  
FOLLOWS:

DEPONENT IS INFORMED BY L [REDACTED] R [REDACTED] THAT, ON OR ABOUT THE ABOVE TIME AND PLACE,  
THE DEFENDANT DID ON TWO OCCASIONS STRIKE THE INFORMANT ABOUT THE LEGS AND/OR BODY  
WITH A BELT.


THE DEPONENT IS FURTHER INFORMED BY THE INFORMANT THAT THE ABOVE DESCRIBED ACTIONS  
CAUSED INFORMANT TO SUFFER BRUISING ABOUT THE INFORMANT'S LEGS, TO SUFFER SUBSTANTIAL  
PAIN, AND TO BECOME ALARMED AND ANNOYED.

THE DEPONENT IS FURTHER INFORMED THAT THE INFORMANT'S BIRTH DATE IS [REDACTED], [REDACTED].

FALSE STATEMENTS IN THIS DOCUMENT ARE  
PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT  
TO SECTION 210.45 OF THE PENAL LAW.

1/27/2021

DATE

  
MEREDITH ABRAMS



██████████

████████████████████

# **EXHIBIT G**

Aug. 6. 2021, 9:45AM  
FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

No. 0320 P. 2

1924502

-In the Matter of

SUBPOENA DUCES  
TECUM

L [REDACTED] R [REDACTED]

Docket No. NN-11958-20  
Part 10

A Child Under Eighteen Years  
Of Age Alleged to be Neglected by

JOSHUA  
RODRIGUEZ

Respondent.

TO: Harlem Hospital Center  
506 Lenox Avenue  
New York, NY 10037

*WE COMMAND YOU*, That all business and excuses being laid aside, you and each of you produce before the Family Court, on August 12, 2021 @ 9:00am to the Honorable Melody Glover presiding, at 330 Jay Street, Brooklyn, New York 11201, PART 10 within five (5) days of receipt of this subpoena, any and all records in your possession, either by original or duly certified copy using the attached certification forms or precise replicas thereof Medical Records from 12/3/2020 Acct #252276343 for the child L [REDACTED] R [REDACTED] born 12/27/2012.

In lieu of a personal appearance in Court, the requirements of this subpoena may be met by delivery of all requested records being delivered by hand messenger or other method which provides proof of delivery to KREUZA GANOLLI, ESQ. 26 Court Street, Suite 514, Brooklyn, New York 11242, provided that it is received on or before the return date set forth herein. Email Service is also accepted at KGanolliEsq@gmail.com

Please fill out the enclosed certification form and return with records which pursuant to CPRL § 2301 states that the records are the full and complete records maintained in your office and that they were made in the regular course of business, and that it is the regular course of business of this institution to make such records at the time of the events they describe. **FAILURE TO COMPLY WITH THIS SUBPOENA, WHICH IS DULY ISSUED BY AN OFFICER OF THE COURT PURSUANT TO THE F. C. A. 1038, 1046(a)(vii) and C.P.L.R. 2308(a), MAY BE PUNISHABLE AS CONTEMPT OF COURT. THIS IS A CHILD PROTECTIVE PROCEEDING AND PROMPT COMPLIANCE IS RESPECTFULLY REQUESTED.**

To the extent that the subject records contain any of the following information, all such information should be redacted prior to disclosure: (i) confidential HIV-related information as defined under Public Health Law § 2780[7] and 10 NYCRR § 63.1(g); (ii) predisposition genetic test records and information subject to the provisions of Civil Rights Law § 79-1; (iii) reports and information concerning sexually transmitted diseases subject to the confidentiality provisions of 24 RCNY Health Code Reg. § 11.07(a) or Public Health Law §2306; and (iv) records and information concerning cases of gonorrhea, chlamydia trachomatis infection or syphilis subject to the confidentiality provisions of 10 NYCRR§ 2.32. (v) substance abuse/chemical dependency records subject to the confidentiality provisions of Mental Hygiene Law § 22.05 and/or 42 CFR part 2; and (vi) mental health and/or psychiatric records; all such information, if any, found in the requested records should be redacted prior to disclosure.

11-11-11

11-11-11

Aug. 6. 2021 9:45AM

No. 0320 P. 3

For any questions immediately contact the issuing officer indicated below. A copy of this subpoena is to be served promptly before the return date pursuant to CPLR 2103 on all parties and counsel who have appeared in this action pursuant to CPLR 2303(a).

Dated: August 3, 2021

SO ORDERED:

MG

Hon. Melody Glover



KREUZA GANOLLI, ESQ.  
Attorney for Respondent, Joshua Rodriguez  
26 Court Street, Suite 514  
Brooklyn, New York 11242  
(917) 335-9530

CERTIFICATION

I, Nelly Valentin, Director of Medical Records of Harlem Hospital Center, hereby, certify that the record attached is in the custody of and is the full and complete record of the condition, act, transaction, occurrence or events of this institution concerning:

NAME OF PATIENT:

B. [REDACTED], L. [REDACTED]

ADDRESS OF PATIENT:

[REDACTED]  
[REDACTED]

MEDICAL RECORD NO:

1924502

I further certify that this record was made in the regular course of business of this Institution and it is in the regular course of business of this Institution to make such record, and such record was made at the time of the condition, act, transaction, occurrence or events, or within a reasonable time thereafter. The original medical record is retained in the Health Information Management Department in order to maintain the integrity of our files.

Prepared by: \*

[Signature]  
Staff Signature

Date:

8/9/21

\* Nelly Valentin

Nelly Valentin  
Director of Medical Records  
Health Information Management Department  
506 Lenox Avenue  
New York, NY 10037  
212-939-2764

\* Records may contain sensitive health information including but not limited to and subject to the confidentiality protections afforded by Article 27-F of the NY Public Health Law, Article 33 of the Mental Hygiene Law, 42 CFR Part 2, and NY Civil Rights Law §79-L; all such information may be redacted/omitted to the extent necessary pursuant to federal and state law.

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861. It is a very important document, as it sets out the policy of the new administration.

2. The second part of the document is a report from the Secretary of the Treasury, dated January 1, 1861. It contains a detailed account of the financial state of the country at the time.

3. The third part of the document is a report from the Secretary of the Interior, dated January 1, 1861. It contains a detailed account of the state of the public lands and other matters under the jurisdiction of the Department.

4. The fourth part of the document is a report from the Secretary of the Navy, dated January 1, 1861. It contains a detailed account of the state of the Navy and other matters under the jurisdiction of the Department.

5. The fifth part of the document is a report from the Secretary of the War, dated January 1, 1861. It contains a detailed account of the state of the Army and other matters under the jurisdiction of the Department.

6. The sixth part of the document is a report from the Secretary of the State, dated January 1, 1861. It contains a detailed account of the state of the Department and other matters under the jurisdiction of the Secretary.

7. The seventh part of the document is a report from the Secretary of the Navy, dated January 1, 1861. It contains a detailed account of the state of the Navy and other matters under the jurisdiction of the Department.

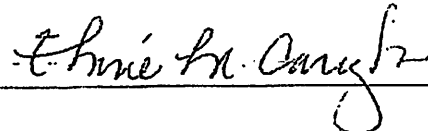
8. The eighth part of the document is a report from the Secretary of the Navy, dated January 1, 1861. It contains a detailed account of the state of the Navy and other matters under the jurisdiction of the Department.

9. The ninth part of the document is a report from the Secretary of the Navy, dated January 1, 1861. It contains a detailed account of the state of the Navy and other matters under the jurisdiction of the Department.

## DELEGATION OF AUTHORITY

I, Eboné M. Carrington, Chief Executive Officer of Harlem Hospital Center, certify that Nelly Valentin, Senior Associate Director of Health Information Management (A.K.A. Medical Records Department) whose signature appears below is a responsible employee of this institution.

I, hereby authorize Nelly Valentin, to certify records of this institution as the full and complete record of the condition, act, transaction, occurrence or events which have been made in the regular course of business of this institution, and it is the regular course of business of this institution to make such records at the time of the condition, act, transaction, occurrence or events, or within a reasonable time thereafter.



Eboné M. Carrington, MPA  
Chief Executive Officer  
Harlem Hospital Center

Date: 8-9-2021



Nelly Valentin  
Senior Associate Director  
Health Information Management  
Harlem Hospital Center

Date: 8-9-2021



**ED Triage note by Stacy-Ann Reid, RN at 12/03/20 2052**

Author: Stacy-Ann Reid, RN	Service: Pediatric Emergency Dept	Author Type: Registered Nurse
Filed: 12/03/20 2054	Date of Service: 12/03/20 2052	Creation Time: 12/03/20 2052
Status: Addendum	Editor: Stacy-Ann Reid, RN (Registered Nurse)	
Related Notes: Original Note by Stacy-Ann Reid, RN (Registered Nurse) filed at 12/03/20 2052		

Being removed one home and into a next and need medical clearance before the switch. Pt accompanied by ACS worker Ms. Leslie Dunn.

"Electronically signed by Stacy-Ann Reid, RN at 12/03/20 2054"

**ED Dispo Note by David Mortel, MD at 12/03/20 2104**

Author: David Mortel, MD	Service: Pediatric Emergency Dept	Author Type: Physician
Filed: 12/03/20 2106	Date of Service: 12/03/20 2104	Creation Time: 12/03/20 2104
Status: Signed	Editor: David Mortel, MD (Physician)	

Note Initiated: 12/03/2020 at 9:04 PM

**ED Disposition Note**

Diagnosis

The encounter diagnosis was Encounter for administrative examinations.

Disposition

**ED Disposition**

ED Disposition	Comment
Discharge	

Follow-Up With

No follow-up provider specified.

Home Medications No Changes

There are no discharge medications for this patient.

Home Medication Changes

Modified Medications

No medications on file

Discontinued Medications

No medications on file

Prescriptions Given This Visit

There are no discharge medications for this patient.

Consults

None

Final Assessment and Plan

7 yr old female with known past medical hx of allergies to Augmentin. Presented to the ED for medical check. Being transferred to maternal grandmother's house for foster care from dad's house. Normal exam otherwise well-appearing. Medically cleared to proceed to foster care.



**ED Dispo Note by David Mortel, MD at 12/03/20 2104 (continued)**

"Electronically signed by David Mortel, MD at 12/03/20 2106"

**ED Provider Notes by David Mortel, MD at 12/03/20 2107**

Author: David Mortel, MD  
Filed: 12/03/20 2111  
Status: Signed

Service: Pediatric Emergency Dept  
Date of Service: 12/03/20 2107  
Editor: David Mortel, MD (Physician)

Author Type: Physician  
Creation Time: 12/03/20 2107

Note Initiated: 12/03/2020 at 9:07 PM  
Encounter Date: 12/3/2020

**Chief Complaint:**

**Chief Complaint**

Patient presents with

Medical Clearance.

**History of Present Illness:**

7 yr old female with known allergy to Augmentin ("gets bumps").

Presented to the ED for placement to foster care after she was transferred to dad's because she was hit by a belt causing bruises on the left thigh allegedly by dad.

She has no signs of trauma and is otherwise well-appearing.

Denies any complaints today.

History provided by: **Patient and children's services**

**History:**

History reviewed. No pertinent past medical history.

History reviewed. No pertinent surgical history.

History reviewed. No pertinent family history.

**Social History**

**Tobacco Use**

- Smoking status: Never Smoker
- Smokeless tobacco: Never Used

**Substance Use Topics**

- Alcohol use: Not on file
- Drug use: Not on file

**Review of Systems:**

**Review of Systems**

Constitutional: Negative.

HENT: Negative.

Eyes: Negative.

Respiratory: Negative.

Cardiovascular: Negative.

Gastrointestinal: Negative.

Endocrine: Negative.

**ED Provider Notes by David Mortel, MD at 12/03/20 2107 (continued)**

Genitourinary: Negative.  
Musculoskeletal: Negative.  
Skin: Negative.  
Allergic/Immunologic: Negative.  
Neurological: Negative.  
Hematological: Negative.  
Psychiatric/Behavioral: Negative.

Physical Exam:

Physical Exam

Constitutional:

General: She is active.  
Appearance: Normal appearance. She is well-developed.

HENT:

Head: Normocephalic and atraumatic.  
Right Ear: Tympanic membrane, ear canal and external ear normal.  
Left Ear: Tympanic membrane, ear canal and external ear normal.  
Nose: Nose normal.  
Mouth/Throat:  
Mouth: Mucous membranes are moist.

Eyes:

Extraocular Movements: Extraocular movements intact.  
Conjunctiva/sclera: Conjunctivae normal.  
Pupils: Pupils are equal, round, and reactive to light.

Neck:

Musculoskeletal: Normal range of motion and neck supple.

Cardiovascular:

Rate and Rhythm: Normal rate and regular rhythm.  
Pulses: Normal pulses.  
Heart sounds: Normal heart sounds.

Pulmonary:

Effort: Pulmonary effort is normal.  
Breath sounds: Normal breath sounds.

Abdominal:

General: Abdomen is flat.  
Palpations: Abdomen is soft.

Musculoskeletal: Normal range of motion.

General: No swelling, tenderness, deformity or signs of injury.

Skin:

General: Skin is warm.  
Capillary Refill: Capillary refill takes less than 2 seconds.

Neurological:

General: No focal deficit present.  
Mental Status: She is alert and oriented for age.

Psychiatric:

Mood and Affect: Mood normal.  
Behavior: Behavior normal.  
Thought Content: Thought content normal.  
Judgment: Judgment normal.



**ED Provider Notes by David Mortel, MD at 12/03/20 2107 (continued)**

Medications:

Patient's Medications

No medications on file

Allergies:

Allergies

Allergen

- Augmentin [Amoxicillin-Pot Clavulanate]

Reactions

Rash

Vital Signs:

Visit Vitals

BP 114/73 (BP Location: Right arm,  
Patient Position: Sitting)  
Temp 98.5 °F (36.9 °C) (Oral)  
Resp 22  
Wt 72 lb 12 oz (33 kg)  
SpO2 98%  
Smoking Status Never Smoker

Assessment and Plan:

7 yrs old female well child with no signs of trauma being transferred to maternal grandma's mom for foster care  
She is well-appearing and is medically cleared

David Mortel, MD  
12/03/20 2111

"Electronically signed by David Mortel, MD at 12/03/20 2111"

**END OF REPORT**



# **EXHIBIT H**



3:38



Kreuza Ganolli

Am I bugging or it says no marks?!?! 🤔🤔

Yup

Just got the records just now

I am fuming!

Did they ever have that conference?

Nope

I'm tight

Don't be. You can use this in your lawsuit!



iMessage



# **EXHIBIT I**

January 15, 2021

Re: Case ID 26989943  
Intake Stage ID 33360442  
Date of Intake 12/03/2020

Joshua Rodriguez  
811 Flushing Ave  
Apt 18d  
Brooklyn, New York 11206-4232

Dear Joshua Rodriguez :

On 12/22/2020, you were notified that you were the subject or other person named in a report of suspected child abuse or maltreatment received by the New York State Child Abuse and Maltreatment Register (State Central Register). At that time, you were informed of the investigation process conducted by the MANHATTAN County Child Protective Service and your rights in regard to this matter.

We must now inform you that this report has been "indicated" and that you are the subject of the report. This means that some credible evidence has been found to support the determination that you maltreated or abused the child(ren) named in the report. In addition to this letter, I, the undersigned caseworker, am willing to discuss in more depth the reasons for this determination and your feelings concerning this matter. Services may also be offered to assist you and your family.

Since this report has been determined to be indicated, it will remain in the New York State Child Abuse and Maltreatment Register. As you were previously informed in your notification letter, you are entitled to request a copy of all information regarding the report contained in the State Central Register. However, the Commissioner of the New York State Office of Children and Family Services and social services district official must withhold information identifying the person who made the report unless that person has consented in writing to the release of such information. In addition, the Commissioner and social services district official may withhold information identifying a person who cooperated in the investigation of the report if the Commissioner reasonably determines that the release of the information would be detrimental to that person's safety or interest.

As a subject of a report, that is a person determined to be responsible for causing or allowing to be inflicted injury, abuse or maltreatment to the child(ren) named in the report, you have the right to request the Commissioner of the New York State Office of Children and Family Services to amend (change) the record of the report if you believe that the information in the report is inaccurate. Such a request could include a request that the report be amended from being "indicated" to being "unfounded". This request must be made by you within 90 days of receiving this notice. Do not wait to receive copies of the information contained in the State Central Register if you wish to request an amendment. As a result of your request, a complete review of the record and the factors upon which an "indicated" determination was made will take place. Upon completion of this review, you will be notified by the New York State Office of Children and Family Services, in writing, of the decision made in response to your request. If the Office does not amend the record in accordance with your request or if the Commissioner does not act upon your request for an amendment of the report within 90 days of receiving this request, you will

be notified of the date when a fair hearing on your request will be held.

If you fail to request that the report be amended within 90 days, or, if upon your request, the report is not amended to be "unfounded", the information will remain in the Register until your youngest child's 28th birthday. An indicated report in the Register may be disclosed to an inquiring licensing or provider agency, pursuant to Section 424-a of the Social Services Law, if the substance of the report is found to be both supported by a fair preponderance of the evidence and relevant and reasonably related to employment or licensure in the child caring area for which you have applied. Such an indicated report may affect your ability to work or be licensed in the child care field or adopt a child or become a foster parent. The Office has developed guidelines regarding whether indicated instances of child abuse and maltreatment are relevant and reasonably related to such employment or licensure. You have the right to request these "Guidelines of Relevant and Reasonably Related" at any time. You will automatically receive them if you request amendment of the report.

If you have not yet requested a copy of the information contained within the State Central Register and desire such information, and/or if you wish to request amendment of the information regarding the report contained in the State Central Register, you may do so by sending a written request to:

New York State Office of Children and Family Services  
Child Abuse and Maltreatment Register  
P.O. Box 4480  
Albany, New York 12204-0480

This written request should include your full name, the full name(s) of the child(ren) named in the report, your address and children's address, if different, and the Case ID and Intake Stage ID given in the upper right-hand corner of this letter.

Leslie Dunn  
Caseworker

Kathleen Hobson  
Caseworker's Supervisor

(212) 722-5954  
Telephone number



**Office of Children  
and Family Services**

**CHILD ABUSE AND MALTREATMENT REGISTER**  
**P.O. BOX 4480, ALBANY, NY 12204-0480**

**ANDREW M. CUOMO**  
Governor

**SHEILA J. POOLE**  
Commissioner

**January 26, 2021**

**Re: Case ID: 26989943**

**Intake Stage ID: 33331292**

**Date of Intake: 11/13/2020**

Dear [REDACTED] [REDACTED]

This letter is to give you the results of the investigation into a report of suspected child abuse or maltreatment investigated by the local child protective services (CPS) office. Your local CPS office determined this report to be "unfounded." This means that CPS did not find believable proof (credible evidence) that a child was abused or maltreated.

Unfounded reports are legally sealed by the New York Statewide Central Register of Child Abuse and Maltreatment (SCR). This means that the SCR will keep a record of the unfounded report, but all the information will be kept confidential and not shared with any person or organization except for the very few circumstances that State law allows. A sealed report may be made available to CPS or a State agency investigating a new report of child abuse or maltreatment involving the subject (alleged perpetrator), the child victim, or the child's sibling. A sealed unfounded report is not available to employers or licensing agencies.

Sealed reports will be expunged, which means destroyed, ten years after the date of the report and will not be available to anyone in any circumstances. This will happen automatically and does not require any action by anyone.

Please note that each report is treated separately and the sealing of this particular report will not affect any other reports in which you may have been named as a subject or other person. Therefore, if you were previously advised that a different report had been "indicated," then that report will remain in the SCR and will not be sealed. If you are receiving services as the result of a different report, this finding does not change those services.

If you have any questions regarding this letter, please contact 1-844-337-6298 between 8:00 am and 5:00 pm, Monday through Friday, excluding holidays, or write to the Statewide Central Register (address listed above) and include a copy of this letter or the Case ID and Stage ID in your letter. Those ID numbers are located in the upper right-hand corner of this letter.

Sincerely,

New York State Office of Children and Family Services



#111

SECRET - CONFIDENTIAL

CONFIDENTIAL - SECRET  
CONFIDENTIAL - SECRET  
CONFIDENTIAL - SECRET  
CONFIDENTIAL - SECRET

**English**

This is an important notice. If you cannot read English, the (Arabic)(Chinese)(Haitian Creole)(Italian)(Korean)(Russian)(Spanish)(Vietnamese)(Yiddish) translation of this notice is at: <http://ocfs.ny.gov/main/cps/resources.asp>

**Arabic**

إن هذا الإخطار المهم. إذا كنت لا تستطيع قراءة اللغة الإنجليزية، فإن الترجمة العربية لهذا الإخطار موجودة على الرابط:  
<http://ocfs.ny.gov/main/cps/resources.asp>

**Chinese (Traditional)**

這是一項重要通知。如果您無法閱讀英文，下列網址提供有此通知的中文（繁體）翻譯：  
<http://ocfs.ny.gov/main/cps/resources.asp>

**Haitian Creole**

Sa a se yon avè ki enpòtan. Si ou pa kapab li Anglè, w ap jwenn tradiksyon avè sa a nan an Kreyòl Ayisyen sou sitwèb: <http://ocfs.ny.gov/main/cps/resources.asp>

**Italian**

Questo è un avviso importante. Se non conosce l'inglese, la traduzione italiana di questo avviso si trova all'indirizzo: <http://ocfs.ny.gov/main/cps/resources.asp>

**Korean**

아는 중요한 통지 사항입니다. 영어를 읽을 수 없는 경우, 이 통지 사항의 한국어 번역본이 다음 링크로 제공됩니다: <http://ocfs.ny.gov/main/cps/resources.asp>

**Russian**

Это важное уведомление. Если Вы не читаете по-английски, см. перевод данного уведомления на русский по ссылке: <http://ocfs.ny.gov/main/cps/resources.asp>

**Spanish**

Esta es una notificación importante. Si usted no puede leer inglés, la traducción de esta notificación está disponible en español en: <http://ocfs.ny.gov/main/cps/resources.asp>

**Vietnamese**

Đây là một thông báo quan trọng. Nếu quý vị không thể đọc Tiếng Anh, bản dịch Tiếng Việt của thông báo này có tại: <http://ocfs.ny.gov/main/cps/resources.asp>

**Yiddish**

דאס איז א וויכטיגע מעלדונג, אויב איר קענט נישט ליינען ענגליש, איז דער אידישער איבערזעצונג פון דער מעלדונג ביי <http://ocfs.ny.gov/main/cps/resources.asp>

November 18, 2020

Re: Case ID: 26989943  
Intake Stage ID: 33331292  
Date of Intake: 11/13/2020

Ivette Rodriguez  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Ivette Rodriguez :

This is to inform you that you are an other person named in a report of suspected child abuse or maltreatment received by the New York State Child Abuse and Maltreatment Register (State Central Register) on 11/13/2020. This means that you have been named in the report but have not been alleged to be responsible for causing injury, abuse or maltreatment to the child(ren). This report has been transmitted to MANHATTAN County Child Protective Service for commencement of an investigation and evaluation of the report as required by the New York State Child Protective Services Act.

The Law allows the local child protective service 60 days from the time of the receipt of the report to complete a full investigation of the allegations contained within the report as well as an evaluation of the care being provided to your child(ren). You will be notified in writing of the findings of the investigation. Where appropriate, services will be offered to assist you and your family.

If the report is determined to be "unfounded" meaning that there is no credible evidence (i.e., evidence worthy of belief) of abuse or maltreatment, all information which would identify the subject(s) or other persons named in the report will be legally sealed by the State Central Register and the local child protective service. An "unfounded" report is confidential and may only be unsealed and made available under limited circumstances, including: to a local child protective service or State agency investigating a subsequent report of abuse or maltreatment involving the same subject of the report, or child named in the legally sealed, unfounded report, or the child's sibling; or to the subject of the report where the subject requests access to the "unfounded" report. If the report is determined to be "indicated" (i.e. there is some credible evidence of abuse or maltreatment to the child(ren)), the report will remain in the State Central Register and the local social services district's register.

This report is confidential and can only be released to certain authorized persons granted rights to access by State Law. As the subject of the report you have a right to request a copy of all information regarding the report contained in the State Central Register. However, the Commissioner of the New York State Office of Children and Family Services and social services district official must withhold information identifying the person who made the report unless that person has consented in writing to the release of such information. In addition, the Commissioner and social services district official may withhold information identifying a person who cooperated in the investigation of the report if the Commissioner reasonably determines that the release of this information would be detrimental to that person's safety or interest.

After the investigation is completed, if the report is determined to be "indicated" and if you are determined to be a subject of the report, you have the right to request the Commissioner of the New York State Office of Children and Family Services to amend (change) the record of the report if you believe that the report



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**CONFIDENTIAL**  
**CONFIDENTIAL**

is inaccurate. This request must be made by you within 90 days of being notified that the report is indicated.

The subject of the report is the person(s) responsible for causing or allowing to be inflicted injury, abuse or maltreatment to the child(ren).

If you wish to receive a copy of the information contained in the State Central Register, please write to:

New York State Office of Children and Family Services  
Child Abuse and Maltreatment Register  
P.O. Box 4480  
Albany, New York 12204-0480

This written request should include your full name, the full name(s) of the child(ren) named in the report, your address and children's address, if different, and the Case ID and Intake Stage ID given in the upper right-hand corner of this letter.

S. Wilkins-Burrell  
Caseworker

K. Hobson  
Caseworker's Supervisor

(212) 426-6973  
Telephone number

# **EXHIBIT J**

## ***Voice Transcript of Voice Recording:***

Plaintiff: "You took a shit on yourself the other day?"

L.R.: "No" (With a clueless voice)

Plaintiff: "You ain't doodoo on yourself the other day?"

L.R.: "No" (Clueless voice)

# **EXHIBIT K**

# SUPERVISION SERVICES

244 E. 3<sup>rd</sup> Street, #20564, New York NY 10009  
Tel: 917-293-1688 Fax: 212-673-6314 Email: [SupervisionServices@yahoo.com](mailto:SupervisionServices@yahoo.com)  
[www.supervisionservices.net](http://www.supervisionservices.net)

## Introduction Letter

Supervision Services is a fully insured provider, in good standing with the National Supervised Visitation Network and a private provider of supervised visitations. We have been in operation since 2010 and currently provide supervised visitations for the Administration for Children Services (ACS), we have been a vendor for ACS for approximately 4 years. We currently have cases from ACS' Protective Diagnostic Units (PD) and Family Services Units (FSU) from various field offices from all five boroughs.

We also provide services for several Foster Care Contract agencies which include but are not limited to Little Flowers, Sheltering Arms and Children's Aide Society. Our community based visit model enables us to prepare and educate parents for real world scenarios with their children in the event that the children are reunified with their parents. We are also able to conduct visits indoors at the agencies we work with when requested. During the current COVID- 19 pandemic we are providing Tele-Health visits via video and phone. For in person cases we have a thorough safety protocol in place.

We further provide services in matters of Divorce/Custody disputes, etc. The specific services we provide consist of but are not limited to Supervised Visitations, Coaching Supervised Visitations (Parenting Skills are incorporated into the visitations) and Supervised Therapeutic Visitations (Evidenced Based Interventions are incorporated into the visitations). For Therapeutic Visitations, we facilitate one on one meetings with parents and children to assess the needs of the family. We debrief with parents at the end of each visit to review strengths and challenges. A comprehensive service plan is developed with family goals based on parent input, case planner input and monitor observations.

We serve the NYC area (all 5 boroughs) and the Westchester area. ( Additional locations may be discussed )

Supervision Services has over a decade of experience in child protection, child welfare and a myriad of other child centered social work areas. We have over 7 years of direct experience in the area of supervised visitations. All providers are unbiased and will provide safe supervised visitation services within the guidelines and standards of Supervision Services and the Supervised Visitation Network.

If you have any questions please feel free to contact us. [www.supervisionservices.net](http://www.supervisionservices.net)

Respectfully,

*Carlos Malave*

Carlos Malave, MPA, LMSW b



# SUPERVISION SERVICES

244 E. 3<sup>rd</sup> Street #20564, New York NY 10009  
Tel: 917-293-1688 Fax: 212-673-6314 Email: [SupervisionServices@yahoo.com](mailto:SupervisionServices@yahoo.com)  
[www.supervisionservices.net](http://www.supervisionservices.net)

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## VISITATION RULES AND REGULATIONS

- ☐ ALL VISITS MUST BE CONFIRMED 24 HOURS IN ADVANCE VIA EMAIL ONLY.
- ☐ ANY CANCELLATIONS MUST BE MADE IN A FULL 24 HOURS IN ADVANCE OF SCHEDULED SERVICE VIA EMAIL.
- ☐ ANY VISITATIONS NOT CANCELLED WITHIN A FULL 24 HOURS IS SUBJECT TO FULL PAYMENT OF PRE-ARRANGED VISITING TIME.
- ☐ VISITATION ARRIVAL MUST BE ON TIME. (15 MINUTE GRACE PERIOD FOR LATENESS) ANY VISITATION ARRIVAL THAT EXCEEDS THE 15 MINUTE GRACE PERIOD MAY BE SUBJECT TO CANCELLATION AND WILL REQUIRE FULL PAYMENT OF PRE-ARRANGED VISITING TIME.
- ☐ VISITING PARENT IS RESPONSIBLE FOR ANY FEES FOR ACTIVITIES WHICH MAY INCLUDE BUT NOT LIMITED TO, TRANSPORTATION COSTS, ENTRANCES, ADMISSIONS, TICKETS ETC.
- ☐ NO ELECTRONIC DEVICES ARE ALLOWED TO BE IN USE DURING THE VISITATION, THIS INCLUDES BUT IS NOT LIMITED TO CELL PHONES, TABLETS, LAPTOPS, ETC.
- ☐ THERE IS ABSOLUTELY NO VIDEO AND/OR AUDIO RECORDING DURING ANY TIME OF THE VISITATION.
- ☐ ABSOLUTELY NO CELL PHONE IS USE ALLOWED DURING THE VISITATION.
- ☐ ASSIGNED MONITOR MUST OBSERVE CELL PHONES BEING POWERED OFF. IF CELL PHONES ARE "TURNED OFF" PRIOR TO THE VISITATION THEY MUST BE POWERED UP AND THEN POWERED OFF TO ALLOW THE MONITOR TO OBSERVE THE PROCESS.
- ☐ ADMINISTERING MEDICATION(S), INCLUDING BUT NOT LIMITED TO OVER THE COUNTER OR PRESCRIBED, DURING THE VISITATION IS NOT ALLOWED. ALL MEDICATIONS SHOULD BE ADMINISTERED PRIOR TO THE START OF THE VISITATION BY THE CUSTODIAL PARENT, FOSTER PARENT OR AGENCY NURSE. VISITATION MONITORS ARE NOT ALLOWED TO ADMINISTER MEDICATIONS.
- ☐ ANY INDICATION OF ALCOHOL USE, DRUG USE OR ANY OTHER OBSERVATION IN WHICH A VISITING PERSON IS SUSPECTED OF BEING UNDER THE INFLUENCE WILL RESULT IN IMMEDIATE TERMINATION OF THE VISIT.
- ☐ DURING VISITATION THERE IS TO BE NO SPEAKING IN A LANGUAGE THAT THE SUPERVISION MONITOR IS NOT FLUENT IN OR COMFORTABLE IN SPEAKING.
- ☐ MONITORS WILL ACCOMPANY THE SUPERVISED CHILD AND/OR VISITING ADULT TO THE LAVATORY TO ENSURE THE CONTINUITY OF THE SUPERVISION PROCESS THROUGHOUT THE VISITATION.
- ☐ DURING VISITATION WHISPERING OR SPEAKING IN A MANNER THAT DOES NOT ALLOW THE SUPERVISION MONITOR TO FULLY MONITOR THE CONVERSATION MAY RESULT IN THE TERMINATION OF THAT VISIT.
- ☐ HAVING ANY INDIVIDUALS WAITING DURING THE VISITATION IS NOT ALLOWED.



- ☐ UNDER RELATIVE CIRCUMSTANCES OTHER INDIVIDUALS, FAMILY MEMBERS OR FRIENDS MAY NOT BE ALLOWED TO PARTICIPATE IN THE VISITATION UNLESS OTHERWISE AUTHORIZED BY ACS, DSS AND/OR EXPRESSLY STIPULATED VIA COURT ORDER OR UNLESS AGREED UPON BY ALL PARTIES.
- ☐ ANY INDIVIDUALS THAT ARE ALLOWED TO BE PRESENT DURING THE VISITATION MUST ADHERE TO THESE RULES AND REGULATIONS. INDIVIDUALS CAN BE EXCLUDED FROM THE VISITATION PROCESS BY THE ASSIGNED MONITOR AT ANY TIME AND AT THE DISCRETION OF THE ASSIGNED MONITOR. FAILURE OF THAT INDIVIDUAL TO COOPERATE WITH THE ASSIGNED MONITOR OR ADHERE TO THE MONITOR'S REQUEST(S) WILL RESULT IN THE TERMINATION OF THE VISITATION. (\*IN THE EVENT THAT VISITORS ARE ALLOWED A CASE AIDE MAY BE REQUIRED WHICH WILL RESULT IN AN ADDED FEE)
- ☐ AT NO POINT WILL THE ASSIGNED MONITOR BE SUBJECT TO VERBAL OR PHYSICAL ATTACKS, ASSAULTS OR BY THE VISITING PARENT OR ANY OF THE INDIVIDUALS INVOLVED IN THE VISITATION PROCESS, INCLUDING BUT NOT LIMITED TO FAMILY MEMBERS, EXTENDED FAMILY OR FRIENDS. VIOLATION OF THIS POLICY WILL RESULT IN IMMEDIATE TERMINATION OF THE VISITATION.
- ☐ DURING VISITATION THERE IS TO BE NO GIFT GIVING UNLESS PRIOR APPROVAL IS GRANTED AND/OR AGREED UPON BY ALL PARTIES.
- ☐ DURING VISITATION THERE IS TO BE NO PROMISES MADE (I.E. ANTICIPATED TIME OF UNREUNIFICATION, GIFTS, ETC)
- ☐ DURING VISITATION THERE IS TO BE NO CONVERSATION(S) REGARDING OTHER PARTIES, CUSTODIAL PARENTS, FOSTER PARENTS, COURT MATTERS OR ANY OTHER CONVERSATIONS THAT ARE NOT DEEMED APPROPRIATE DURING VISITATION.
- ☐ DURING VISITATION CORPORAL PUNISHMENT OR YELLING AT THE CHILD(REN) IS NOT ALLOWED. THE VISITATION WILL BE TERMINATED IMMEDIATELY IF CORPORAL PUNISHMENT OR ANY OTHER INAPPROPRIATE FORM OF DISCIPLINE IS OBSERVED. (SUPERVISION MONITORS ARE CHILD ABUSE MANDATED REPORTERS)

**VIOLATION(S) OF ANY OF THE ABOVE TERMS WILL RESULT IN IMMEDIATE TERMINATION OF THE VISITATION**

(PLEASE READ AND CHECK ALL BOXES TO INDICATE THAT ALL RULES AND REGULATIONS ARE UNDERSTOOD AND AGREED UPON. BY SIGNING THIS DOCUMENT YOU AGREE TO OBEY BY THE RULES AND REGULATIONS AND FURTHER AGREE THAT IF YOU FAIL TO OBEY BY ANY OF THE RULES AND REGULATIONS THE VISIT(S) MAY BE TERMINATED AND YOU FURTHER AGREE TO MAKE FULL PAYMENT OF PRE-ARRANGED ALLOTTED VISITATION TIME)

PRINT NAME \_\_\_\_\_

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

WITNESS \_\_\_\_\_

DATE \_\_\_\_\_





# SUPERVISION SERVICES

244 E. 3<sup>rd</sup> Street, #20564, New York NY 10009

Tel: 917-293-1688 Fax: 212-673-6314 Email: [SupervisionServices@yahoo.com](mailto:SupervisionServices@yahoo.com)  
[www.supervisionservices.net](http://www.supervisionservices.net)

Program Director

Member of



# **EXHIBIT L**

FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X  
In the Matter of

Docket No.: NN-11958-20

L [REDACTED] R [REDACTED],

A Child Under Eighteen Years of Age  
Alleged to be Neglected by

AFFIDAVIT IN  
SUPPORT

JOSHUA RODRIGUEZ,

Respondents.  
-----X

STATE OF NEW YORK    )  
                                  )ss.:  
COUNTY OF KINGS    )

JOSHUA RODRIGUEZ, being duly sworn, deposes and states:

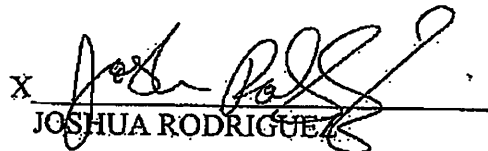
1. I am the respondent in the above captioned child protective action.
2. I file this Affidavit in Support of my Order to Show Cause seeking a hearing pursuant to FCA 1028.
3. The current Family Court Proceedings commenced on October 5, 2020 with my filing of an Order to Show Cause based upon many concerns that I had about the care of my daughter while she was with her mother Estephani Rodriguez and the maternal grandmother, Ms. Suarez. As a result of that Order to Show Cause I was granted an Order of Temporary Custody which was ignored until such time as I was forced to file a Writ of Habeus Corpus. See attached OSC; Temp Order and Writ Petitions collectively as Exhibit F.
4. Thereafter the Mother, Estephani Rodriguez was granted supervised visits only through Safe Horizon which my attorney and I completed the relevant intake form for. During this time since there was a pending ACS investigation relating to my concerns from the summer, ACS case workers offered to host supervised visits for the

██████████ ██████████

Mother which Referee Valme-Lundy stated she was not opposing such so long as the visits were supervised.

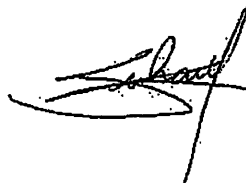
5. Thereafter after consulting with my attorney, I agreed to produce my daughter L[REDACTED] to the ACS field office as it has never been my intention to keep L[REDACTED] away from her mother or grandmother. My intention has only been to keep my daughter safe.
6. on August 24, 2020 my daughter reported to me that she has seen the mother's boyfriend and younger son's father, with a gun. My daughter also informed me that Ms. Rodriguez was driving an unlicensed unregistered vehicle with no insurance and what was most concerning is that in the community I saw my daughter L[REDACTED] in this vehicle in the front seat wherein the airbag sign could not even detect her based upon her young age. More concerning still was that my daughter had received chemical burns when someone (unknown) attempted or did put on fake acrylic nails on my 7 year old daughter. This was not done in a salon and caused my child damage to her fingers which went without medical attention until she was finally in my care in October 2020 after which she was prescribed Terbinafine pills which helped to alleviate the skin conditions. See attached photos as **Exhibit G**.
7. A Court Ordered Investigation was granted herein and they issued the attached Report regarding my clients concerns see attached as **Exhibit H**.
8. Upon information and belief the ACS investigation in the above allegations were determined to be FOUNDED against the mother under Case ID # 28989943, Intake Stage ID: 33211914; Date of Intake: 8/20/2020. See attached as **Exhibit I**.

9. Since this case first was filed against me, I have maintained my innocence to the allegations set forth against me. Despite this, I willingly engaged in both parenting and anger management classes and completed them successfully. I also worked with my doctor to obtain a medical marijuana card to show that I have been using marijuana medicinally due to pain as a result of a prior motor vehicle accident.
10. I have never seen or been provided with any photos or documents which support the allegations that my daughter ever had any marks or bruises while she was in my care for a little of one month. I was the one who did everything to protect my daughter, I called ACS and I came to court to notify the Court of my concerns, why would I ever then put my child in harms way.
11. The court should note that this isn't the first time I have sought court intervention because of my concerns of my daughters safety. In November 19, 2018, I filed a Petition for Custody because I was afraid for my daughters safety due to domestic violence which was occurring between the mother and her then boyfriend which was also leading to threats being made to the maternal grandmother. That case was dismissed as we all worked together at an agreeable arrangement for the child. However during those proceedings, L [REDACTED] lived with me for approximately 6 months.
12. A prior application has not been made for the relief sought herein.

X   
JOSHUA RODRIGUEZ

Sworn to before me this 25  
day of March, 2021.

SUHAIL C. JORGE  
Notary Public, State of New York  
No. 01J06376817  
Qualified in Kings County  
Commission Expires June 18, 2022



# **EXHIBIT M**

## FTC Summary Report

Date of Request:	5/18/2021	Date of conference:	5/25/2021
Case Planning agency:	JCCA	Director:	Rebecca Price
Case Planner:	Myrcie Joseph Estephania Rodriguez	Supervisor:	Corrie DiBello
Case Name:		Case Number:	6970186
CID:	12/3/2021	Facilitator:	Marsha Skeen
Family Court:	Kings	Permanency Specialist:	
* Conference Type:			
Placement Preservation	X	Reunification/Discharge	APPLA (Goal Change)
Adoption (Goal Change)		Adult Residential Care (Goal Change)	Permanency Planning
Conference Location:			
Children's Services		Provider Agency	Community Site

Reason for Conference (Current Situation, incl. current length of placement)
<p>The agency scheduled a Final Discharge Conference to reunite L. [redacted] with biological mother Estephania Rodriguez. On 4/23/2021, Family Court released L. [redacted] to biological mother Estephania Rodriguez with court ordered supervision. B/M is a nonrespondent on this case.</p> <p>L. [redacted] came into care due to a Neglect petition filed against biological father, Joshua Rodriguez. B/M and B/F have extensive history with ACS due to allegations of domestic abuse. B/M has a FOOP against B/F. There is a criminal court LOOP against B/F for Landon.</p> <p>According to the case planning agency, B/F was completed parenting skills and anger management classes. B/F is refusing to comply with agency supervised visitation with London currently. B/F expressed that he wants the FSU case to be transferred to Brooklyn.</p> <p>L. [redacted] is enrolled in school. L. [redacted] medicals are up to date.</p>

2. Child(ren) Referred					
Child	Age	DOB	CIN	PPG	Initial Placement Dt.
L. [redacted] R. [redacted]	8	1/1/2013	GP99982J	01	3/8/2021

ference Consensus and follow-up details: Who does what?

Conference Recommendation and Rationale
<p>The team reached consensus that London will be released to B/M as per court order with court ordered supervision and comply with announced and unannounced ACS visits, B/F will attend agency supervised visitation with L. [redacted].</p>



Action Steps (Please include Safety/Risk-Plan)		
Who	What	By When
C/P, F/M	The team reached consensus that L. [REDACTED] will be released to B/M [REDACTED] as per court order with court ordered supervision and comply with announced and unannounced ACS visits.	6/4/2021
B/F	B/F will comply with agency supervised visitation with L. [REDACTED]	Ongoing

Signatures of Participants			
Print Name	Relationship to Child	Signature	Telephone #
Marsha Skeen	Facilitator	Video Conference	646-584-6669
Rebecca Price	C/P Supervisor	Video Conference	
Mrycle Joseph	C/P	Video Conference	
Joshua Rodriguez	Father	Video Conference	
Marie N. Renelus-Wray	FSU/CPS	Video Conference	

# **EXHIBIT N**



ACSfeedback

6/14/21

To: Joshua Rodriguez >

## **City of New York Correspondence Update: #EC-00305467**

Correspondence #: EC-00305467

Date Submitted :6/14/2021 7:37:33 PM

Thank you for contacting the City of New York. We sent your correspondence to the appropriate agency for action.

You can get correspondence details here:

**[https://portal.311.nyc.gov/  
correspondence-details/  
id=cc12b07d-69cd-eb11-  
bacc-00224820978a](https://portal.311.nyc.gov/correspondence-details/?id=cc12b07d-69cd-eb11-bacc-00224820978a)**

---

This e-mail, including any attachments, may be confidential, privileged or otherwise legally protected. It is intended only for the addressee. If you received this e-



**ACSfeedback**

6/22/21

To: Joshua Rodriguez >

## **City of New York Correspondence Update: #EC-00308862**

Correspondence #: EC-00308862

Date Submitted :6/22/2021 1:50:30 PM

Thank you for contacting the City of New York. We sent your correspondence to the appropriate agency for action.

You can get correspondence details here:

**[https://portal.311.nyc.gov/  
correspondence-details/  
id=52097955-82d3-eb11-  
bacc-0022482385c0](https://portal.311.nyc.gov/correspondence-details/?id=52097955-82d3-eb11-bacc-0022482385c0)**

---

This e-mail, including any attachments, may be confidential, privileged or otherwise legally protected. It is intended only for the addressee. If you received this e-mail in error or from someone who was not authorized to

# **EXHIBIT O**

At a term of the Family Court of the  
State of New York, held in and for  
the County of Kings, at 330 Jay  
Street, Brooklyn, NY 11201, on  
August 13, 2021

**PRESENT:** Hon. Melody Glover

In the Matter of

**File #:** 293639

**Docket #:** NN-11958-20

**L. [REDACTED] R. [REDACTED]** (DOB: 12-27-2012),

**CPS #:** 6970186

A Child under Eighteen Years of Age  
Alleged to be Neglected by

**ORDER OF DISMISSAL.**

**Joshua Rodriguez.**

Respondent.

A petition under Article 10 of the Family Court Act, having been filed in this Court on  
December 4, 2020 for the following: Neglect:

And the matter having duly come on to be heard before this Court and the following having  
appeared: Colin Johnson, Esq., Cindy Mendelson, Esq., Kreuzer Ganolli, Esq., Estephani Rodriguez/  
and Joshua Rodriguez and Elizabeth Verillo, Esq.

NOW, after examination and inquiry into the facts and circumstances of the case, it is hereby

ADJUDGED that the petition is dismissed due to withdrawal of petition; it is therefore

ORDERED that the petition herein is withdrawn and dismissed without prejudice.

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM  
THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY  
APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO  
APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR  
THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

**Dated:** August 13, 2021

**ENTER**

10/11/2021 14:00:00 COURT VERIFIED SIGNATURE OF JUDGE

  
Hon. Melody Glover

██████████

# **EXHIBIT P**



**KINGS CRIMINAL COURT**

120 Schermerhorn St., Brooklyn, NY 11201

Phone: (646) 386-4500 Fax: (718) 643-7733

Court ORI: NY023033J

**FEE****Non-Public  
Version**

The People of the State of New York  
vs.  
**Joshua Rodriguez**

**Certificate of Disposition**Docket Number: **CR-000541-21KN**

CJTN: 069532479Q

NYSID: 02113942K

Defendant DOB: 12/04/1986

Arrest Date: 01/05/2021

Arraignment Date: 01/06/2021

THIS IS TO CERTIFY that the undersigned has examined the files of the **Kings Criminal Court** concerning the above entitled matter and finds the following:

Count #	Charge	Charge Weight	Disposition	Disposition Date
1	PL 120.05 02 DF Aslt W/Int Cause Ph Inj W/Weap **SEALED 160.50**	DF	Dismissed (Motion to Dismiss Granted, Sealed 160.50)	02/22/2021
2	PL 120.14 01 AM Menacing-2nd:Weapon **SEALED 160.50**	AM	Dismissed (Motion to Dismiss Granted, Sealed 160.50)	09/10/2021
3	PL 260.10 01 AM Act In Manner Injur Child < 17 **SEALED 160.50**	AM	Dismissed (Motion to Dismiss Granted, Sealed 160.50)	09/10/2021
4	PL 265.01 02 AM Crim Poss Weap-4th:Int To Use **SEALED 160.50**	AM	Dismissed (Motion to Dismiss Granted, Sealed 160.50)	09/10/2021
5	PL 120.15 BM Menacing-3rd **SEALED 160.50**	BM	Dismissed (Motion to Dismiss Granted, Sealed 160.50)	09/10/2021
6	PL 240.26 01 V Harassment-2nd:Physical Cntact **SEALED 160.50**	V	Dismissed (Motion to Dismiss Granted, Sealed 160.50)	09/10/2021

Charge Weight Key: I=Infraction; V=Violation; AM, BM=Class Misdemeanor; UM=Unclassified Misdemeanor; AF, BF, CF, DF, EF=Class Felony

Dated: **September 15, 2021**

Chief Clerk/Clerk of the Court

**CAUTION: THIS DOCUMENT IS NOT OFFICIAL UNLESS EMBOSSED WITH THE COURT SEAL**

All marijuana convictions under PL 221.05, PL 221.10, PL 221.15, PL 221.20, PL 221.35 or PL 221.40—including any appearing on this certificate of disposition—are vacated, dismissed, sealed, and expunged. It is an unlawful discriminatory practice for any entity to make any inquiry about such an expunged conviction or to use such an expunged conviction adversely against an individual in any form of application or otherwise—unless specifically required or permitted to do so by statute. It shall be an unlawful discriminatory practice, unless specifically required or permitted by statute, for any person, agency, bureau, corporation or association, including the state and any political subdivision thereof, to make any inquiry about, whether in any form of application or otherwise, or to act upon adversely to the individual involved, any arrest or criminal accusation of such individual not then pending against that individual which was followed by a termination of that criminal action or proceeding in favor of such individual, as defined in subdivision two of section 160.50 of the criminal procedure law, or by a youthful offender adjudication, as defined in subdivision one of section 720.35 of the criminal procedure law, or by a conviction for a violation sealed pursuant to section 160.55 of the criminal procedure law or by a conviction which is sealed pursuant to section 160.58 or 160.59 of the criminal procedure law, in connection with the licensing, employment or providing of credit or insurance to such individual; provided, further, that no person shall be required to divulge information pertaining to any arrest or criminal accusation of such individual not then pending against that individual which was followed by a termination of that criminal action or proceeding in favor of such individual, as defined in subdivision two of section 160.50 of the criminal procedure law, or by a youthful offender adjudication, as defined in subdivision one of section 720.35 of the criminal procedure law, or by a conviction for a violation sealed pursuant to section 160.55 of the criminal procedure law, or by a conviction which is sealed pursuant to section 160.58 or 160.59 of the criminal procedure law. The provisions of this subdivision shall not apply to the licensing activities of governmental bodies in relation to the regulation of guns, firearms and other deadly weapons or in relation to an application for employment as a police officer or peace officer as those terms are defined in subdivisions thirty-three and thirty-four of section 1.20 of the criminal procedure law; provided further that the provisions of this subdivision shall not apply to an application for employment or membership in any law enforcement agency with respect to any arrest or criminal accusation which was followed by a youthful offender adjudication, as defined in subdivision one of section 720.35 of the criminal procedure law, or by a conviction for a violation sealed pursuant to section 160.55 of the criminal procedure law, or by a conviction which is sealed pursuant to section 160.58 or 160.59 of the criminal procedure law. [Executive Law § 296 (16)]

Charges may not be the same as the original arrest charges.

CPL 160.50: All official records (excluding published court decisions or opinions or records and briefs on appeal) related to the arrest or prosecution on file with the Division of Criminal Justice Services, any court, police agency or prosecutor's office shall not be available to any person in public or private agency.

**SEALED**

**pursuant to Section 160.50 of the CPL**

# EXHIBIT Q



New York City Comptroller  
Scott M. Stringer

Office of the New York City Comptroller  
1 Centre Street  
New York, NY 10007

Form Version: NYC-COMPT-BLA-PI1-D6

## Personal Injury Claim Form

Electronically filed claims must be filed within 90 days of the occurrence using the Office of the NYC Comptroller's website. If the claim is not resolved within one (1) year and 90 days of the occurrence, you must start a separate legal action in a court of law before the expiration of this time period to preserve your rights.

I am filing: ☒ On behalf of myself.

☐ On behalf of someone else. If on someone else's behalf, please provide the following information.

Last Name: Rodriguez  
First Name: Joshua  
Relationship to the claimant: self

### Claimant Information

\*Last Name: Rodriguez  
\*First Name: Joshua  
\*Address: 811 Flushing Avenue  
Address 2:  
\*City: Brooklyn  
\*State: NEW YORK  
\*Zip Code: 11206  
\*Country: USA

Date of Birth: Format: MM/DD/YYYY

Soc. Sec. #

HICN:  
(Medicare #)

Date of Death: Format: MM/DD/YYYY

Phone:

\*Email Address: hypebeast1204@icloud.com

\*Retype Email Address: hypebeast1204@icloud.com

Occupation:

City Employee? ☐ Yes ☒ No ☐ NA

Gender ☒ Male ☐ Female ☐ Other

☐ Attorney is filing.

### Attorney Information (If claimant is represented by attorney)

Firm or Last Name:  
Firm or First Name:  
Address:  
Address 2:  
City:  
State:  
Zip Code:  
Tax ID:  
Phone #:  
\*Email Address:  
\*Retype Email Address:

### The time and place where the claim arose

\*Date of Incident: 09/10/2021 Format: MM/DD/YYYY

Time of Incident: Format: HH:MM AM/PM

\*Location of Incident: Criminal Court Kings County; related incident on 8/13/2021 in Family Court Kings County

Address:  
Address 2:  
City:  
\*State: NEW YORK  
Borough: BROOKLYN (KINGS)

\* Denotes required fields. A Claimant OR an Attorney Email Address is required.



New York City Comptroller  
Scott M. Stringer

Office of the New York City Comptroller  
1 Centre Street  
New York, NY 10007

**\*Manner in which  
claim arose:**

Claimant's daughter [REDACTED] was residing with him in December 2020. On December 3, 2020, during a supervised visit at ACS with the child's mother, ACS removed the child from Claimant's custody and instituted a removal action in Family Court. The basis for this action was the knowingly false accusations of ACS workers Leslie Dunn, Kathleen Hobson and Shakia Wilkins-Burrell. This resulted in the child being removed from Claimant's home which remains in effect to this date. In addition, a Neglect Proceeding was started and eventually withdrawn on August 13, 2021.

On January 5, 2021, based on these same false accusations, Claimant was arrested and charged with felony assault and various misdemeanors including Endangering the Welfare of A Child. The criminal charges were dismissed on motion of the District Attorney on September 10, 2021.

**\* Denotes required field.**



New York City Comptroller  
Scott M. Stringer

Office of the New York City Comptroller  
1 Centre Street  
New York, NY 10007

**The items of  
damage or injuries  
claimed are  
(include dollar  
amounts):**

False accusations in Family Court resulting in removal of daughter from his custody and care and being physically and emotionally separated from the child: \$1,000,000  
False arrest and malicious prosecution: \$500,000



New York City Comptroller  
Scott M. Stringer

Office of the New York City Comptroller  
1 Centre Street  
New York, NY 10007

### Medical Information

1st Treatment Date:  *Format: MM/DD/YYYY*

Hospital/Name:

Address:

Address 2:

City:

State:

Zip Code:

Date Treated in  
Emergency Room:  *Format: MM/DD/YYYY*

Was claimant taken to hospital by ☐ Yes ☐ No ☐ NA  
an ambulance?

### Employment Information (If claiming lost wages)

Employer's Name:

Address:

Address 2:

City:

State:

Zip Code:

Work Days Lost:

Amount Earned  
Weekly:

### Treating Physician Information

Last Name:

First Name:

Address:

Address 2:

City:

State:

Zip Code:

### Witness 1 Information

Last Name:

First Name:

Address:

Address 2:

City:

State:

Zip Code:  Phone:

### Witness 2 Information

Last Name:

First Name:

Address:

Address 2:

City:

State:

Zip Code:  Phone:

### Witness 3 Information

Last Name:

First Name:

Address:

Address 2:

City:

State:

Zip Code:  Phone:

### Witness 4 Information

Last Name:

First Name:

Address:

Address 2:

City:

State:

Zip Code:  Phone:



New York City Comptroller  
Scott M. Stringer

Office of the New York City Comptroller  
1 Centre Street  
New York, NY 10007

**Complete if claim involves a NYC vehicle**

**Owner of vehicle claimant was traveling in**

Last Name:

First Name:

Address

Address 2:

City:

State:

Zip Code:

**Non-City vehicle driver**

Last Name:

First Name:

Address

Address 2:

City:

State:

Zip Code:

**Insurance Information**

Insurance Company  
Name:

Address

Address 2:

City:

State:

Zip Code:

Policy #:

Phone #:

**Non-City vehicle information**

Make, Model, Year  
of Vehicle:

Plate #:

VIN #:

**City vehicle information**

Plate #:

City Driver Last  
Name:

City Driver First  
Name:

**Description of  
claimant:**

- ☐ Driver ☐ Passenger  
☐ Pedestrian ☐ Bicyclist  
☐ Motorcyclist ☐ Other

**Total Amount  
Claimed:**

\$1,500,000.00

*Format: Do not include "\$" or ",".*

**The Total Amount Claimed can only be entered once the following  
required fields are entered:**

*Claimant Last Name*

*Claimant First Name*

*Claimant Address, City, State, Zip Code, and Country*

*Claimant Email or Attorney Email*

*Date of Incident*

*Location of Incident (including State)*

*Manner in which claim arose*

*I certify that all information contained in this notice is true and correct to the best of my knowledge and belief. I understand that the willful  
making of any false statement of material fact herein will subject me to criminal penalties and civil liabilities.*

# **EXHIBIT Q1**



1  
2 matter going on pertaining to your child  
3 currently?

4 A Yes.

5 Q All right.

6 So that was just the -- the  
7 removal was dismissed in August 13, 2021. So  
8 that proceeding is no longer going on.

9 Are there any other court  
10 proceedings that came out of this that --

11 A They -- Ms. Dunn -- I had police  
12 knocking on my door, and it was under SVU  
13 case that Ms. Dunn put on me.

14 Q So the removal proceeding also  
15 had ACS refer you for criminal charges?

16 A Yes. Yes.

17 Q SVU means Special Victims Unit, I  
18 presume?

19 A Yes.

20 Q Were you charged?

21 A I was -- I had -- I was charged  
22 with five misdemeanors and one felony, and  
23 everything got dismissed.

24 Q Those were all child abuse  
25 related felonies and misdemeanors?

1  
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A Yes.

Q Those charges were dismissed  
when?

A Those charges were dismissed on  
September 10, 2021.

Q September?

A September.

Q All right.

So out of this emergency petition  
that you filed somewhere after August 2020,  
the emergency removal has since been  
dismissed, and the criminal charges against  
you have been dismissed, correct?

A Yes.

Q What about your emergency  
application, is that still going on in court?

A I can't clarify that because I  
don't know exactly what was done with that,  
but it's -- they put it -- I have -- I put in  
a petition for the same thing, for the same  
matters.

Q So I presume they all kind of  
merged together in the family court?

A I'm not too sure. That's why I

# **EXHIBIT Q2**

50-H HEARING

RODRIGUEZ, JOSHUA

BLA#: 2021PI031685

015-220

-----X

In the Matter of the Claim of  
JOSHUA RODRIGUEZ,

-against-

THE CITY OF NEW YORK.

-----X

VIDEO CONFERENCE VIA ZOOM  
Conducted by:  
LEX REPORTING SERVICE  
160 Broadway  
New York, New York

March 2, 2022  
9:01 a.m.

EXAMINATION of JOSHUA RODRIGUEZ, held at  
the above time and place, pursuant to Notice,  
taken before Anna Monchas-Gorvitz, a shorthand  
reporter and Notary Public within and for the  
State of New York.

LEX#174495



REPORTING SERVICE, INC.

PROFESSIONAL REPORTING SINCE 1980

TOLL FREE 800.608.6085

A p p e a r a n c e s :

JOSHUA RODRIGUEZ, PRO SE  
811 Flushing Avenue, Apartment 16D  
Brooklyn, New York 11206  
E-MAIL: Hypebeast1204@icloud.com

BROWN HUTCHINSON, LLP  
Attorneys for Respondent  
245 Park Avenue, 39th Floor  
New York, New York 10167  
BY: WILLIAM SWIFT, ESQ.

1  
2 THE REPORTER: This deposition is  
3 being conducted via Zoom video  
4 conferencing. All parties present are  
5 appearing remotely, and are confirming  
6 that they can hear and see through the  
7 video without any technical issues.

8 would counsel and the witness please  
9 confirm.

10 MR. SWIFT: I can hear and see.

11 THE WITNESS: Yes.

12 THE REPORTER: Before I swear in the  
13 witness, I will ask counsel to stipulate  
14 on the record, that due to the national  
15 pandemic, the court reporter may swear in  
16 the deponent even though they are not in  
17 the physical presence of the deponent, and  
18 that there is no objection to that at this  
19 time, nor will there be an objection to it  
20 at a future date.

21 Counsel, do you agree?

22 MR. SWIFT: No objection.

23 (Whereupon, Mr. Joshua Rodriguez  
24 showed his identification.)

25 J O S H U A R O D R I G U E Z, the witness

herein, having first been duly sworn by  
a Notary Public of the State of New  
York, was examined and testified as  
follows:

EXAMINATION BY

MR. SWIFT:

Q State your name for the record,  
please.

A Joshua Rodriguez.

Q State your address for the  
record, please.

A 811 Flushing Avenue, Apartment  
16D, Brooklyn, New York 11206.

Q This 50-H hearing is being held  
pursuant to claim number 2021PI031685, Josh  
Rodriguez versus the City of New York.

Mr. Rodriguez, my name is William  
Swift and I am an attorney. I represent the  
city of New York solely for the purposes of  
today's hearing.

I'm going to ask you some  
questions about a claim that you have made  
against the City of New York. If you don't  
understand a question I ask you, I'm not





1  
2 get the facts down. I've read your Notice of  
3 Claim, I understand this is an emotional  
4 thing for you, but I just want you to  
5 understand I'm just here to get the facts of  
6 the case, you know, based on the questions  
7 that I ask you.

8               So if you could answer the  
9 questions to the best of your ability, and  
10 only the question I ask you. I know there's  
11 a lot of the story you probably want to get  
12 out. I will afford you the opportunity to  
13 add something at the end if you think I  
14 didn't ask you about something that's  
15 germane; but at the same time, I just want  
16 you to understand that the questions I ask  
17 you, and sometimes the way they come off,  
18 they're not meant to antagonize you or  
19 promote an emotional response.

20               I'm just looking to get the facts  
21 as best I can, so I can report them to the  
22 New York City Comptroller. And they'll  
23 decided what they're going to do with your  
24 claim. Okay?

25               A       Okay.

1  
2 Q Sir, I just need your date of  
3 birth, but we are only going to put the year  
4 listed on the record for your privacy.

5 A The year, 1986.

6 Q I need the whole thing, but she's  
7 only going to put the year.

8 A Oh, I'm sorry. 1986.

9 Q Your Social Security number?  
10 we'll leave that entirely off the record for  
11 your privacy.

12 (Whereupon, a discussion was held  
13 off the record.)

14 Q Besides the claim we're  
15 discussing today, have you ever made any  
16 other claims against the City of New York or  
17 any of its agencies in your life?

18 A Yes.

19 Q When you had made prior claims,  
20 just generally, what were they about? I  
21 don't want to know all the facts, just what  
22 do they generally refer to?

23 A I was incarcerated under an alias  
24 name that wasn't me.

25 Q So it is a claim against the jail

and incarceration time?

A Yes.

Q What year was that?

A Might have been 2012.

Q Somewhere in that vicinity?

A Yeah, just about ten years ago.

Q Any other claims you made against the City, besides that one?

A No.

Q Have you ever made any claims against the State of New York?

A No.

Q This question goes to everybody, not just because you revealed you had jail time, but have you ever been actually convicted of a crime?

A No.

Q I read through your Notice of Claim, so I do have an idea of what's going on; but like I said, this is fact finding, so I'm just getting your testimony on it. A lot of the information I probably do have, you know. I'm not trying to trick you, but again, there are two separate dates; the

1 Notice of Claim and the transcript of this  
2 hearing.  
3

4 A Sure.

5 Q So, to the best of your ability,  
6 just answer from your recollection. Okay?

7 A Okay.

8 Q The claim itself that you're  
9 making in this claim, is there a date that  
10 gives rise to this claim that you can tell  
11 me?

12 A Uh --

13 Q Hold on, before you answer. The  
14 reason I ask is, usually, a lot of times  
15 these claims have to do with an accident or  
16 somebody tripped on August 1st or whatever.  
17 You know, your claim is a little bit more  
18 complicated.

19 Do you have any dates that you  
20 think are relevant to this claim, like when  
21 the claim arose, to the best of your ability?

22 A This -- from the foundation, it  
23 starts from 2018, but from what triggered the  
24 -- I guess the problem was in November 2020.

25 Q Do you remember what date in

November 2020?

A The 13th of November.

Q What happened on November 13,  
2020?

A CPS Worker, Ms. Wilkins, she came  
and did a home visit. I had temporary  
custody of my child, and during the process  
she questioned my child in a room about a  
claim that I put in toward ACS. And she  
questioned my child about Hennessy liquor at  
my kitchen in front of my mom, my sister, and  
my -- she questioned my daughter while I was  
there. She interrogated my child.

Q Let me just stop you there before  
we get too far into that.

A Okay.

Q So on November 13, 2020,  
Ms. Wilkins came to your home, ACS worker?

A Yes.

Q So had she, Ms. Wilkins, ever  
been to your home before that?

A Yes.

Q Was she your case worker,  
basically?

A Yes.

Q why was ACS involved in the case  
beforehand, just generally?

A It was neglect. My daughter's  
mother left the kids alone in the car, and I  
visualized it and made a report on it.

Q So Ms. Wilkins became involved  
due to a report you made against the child's  
mother, general terms?

A Yes.

Q Ms. Wilkins would, I presume,  
would periodically follow up on the claim at  
least as of November 2020?

A Yes.

Q Do you know why Ms. Wilkins came  
to your home that particular day? By that, I  
mean, was it a scheduled visit, did somebody  
call her, or something else?

A It was a home visit, and it was  
about-- my daughter was in my temporary  
custody, and she wasn't aware of the  
situation. And she came unexpectedly and  
just randomly asking questions about my  
child.

Q Now, how old is your daughter?  
Let's start there.

A She just turned nine years old.

Q What's her date of birth?

MR. SWIFT: Just the year on the  
record though, Anna.

A 2012.

Q What's her first name?

A L.

Q L.?

A Yes.

Q That's the same last name as  
yours?

A Yes.

MR. SWIFT: Just initials, Anna.  
Anytime I refer to L., if you'll just put  
child or L.R., I would appreciate that.  
Just so you know, the record reflects --  
what would you put in, Anna?

(Whereupon, a discussion was held  
off the record.)

Q Is that your only child, L.?

A Yes.

Q So if I refer to the child, we'll

1 know that that's who we are talking about; is  
2 that fair?

3  
4 A Yes.

5 Q All right.

6 So when Ms. Wilkins showed up on  
7 the 13th of November 2021, do you know if  
8 that was just a visit she choose to make on  
9 her own just a pop-in home visit, or did  
10 somebody call her with a report, or something  
11 else, if you know?

12 A Clarifying the year, it was 2020;  
13 not 2021.

14 Q I'm sorry, 2020, correct.

15 A Yeah, she came unexpectedly. I  
16 wasn't aware of it.

17 Q I understand that. But do you  
18 know if that was a visit, just like one of  
19 those -- I understand ACS sometimes makes --  
20 I don't want to say surprise, but unscheduled  
21 home visits just for checking, and sometimes  
22 they come due to a call, and I imagine  
23 there's other reasons.

24 Do you know if she got a specific  
25 call about something or if she was just



making a visit?

A I made a call and she just popped up.

Q Okay. Okay.

So, I guess, to be clear, you're not aware that anybody made a report against you that triggered her visit, are you?

A No, I made the report.

Q Well, you made the initial report that got Ms. Wilkins involved?

A Yes.

Q Did you make any reports after the initial that got Ms. Wilkins involved in the first place?

A Yes, I made a secondary call.

Q Do you remember when that was about?

A That was the same day, November 13, 2020.

Q Oh, okay. Very good.

The call you made on November 13th, what was your complaint at that time, what was the problem at the time?

A I was -- there was a -- my

1  
2 daughter's mother, she crashed the car. My  
3 daughter wasn't inside the car, her little  
4 brother was inside the car, and my daughter  
5 explained to my mother, which I have a record  
6 of that -- the car accident.

7 Q All right.

8 Now, you're daughter's little  
9 brother, that is not your son?

10 A No.

11 Q That's somebody else's?

12 A Yes.

13 Q So you became aware that your  
14 daughter's mother crashed the car?

15 A (No verbal response.)

16 Q Well, what's her name? What's  
17 your daughter's mother's name, to make it  
18 easier?

19 A Estephani, with an E.

20 Q What's her last name?

21 A Common, same thing, Rodriguez.

22 Q Were you guys married or no?

23 A No, it's just a common last name.

24 Q I know that, I --

25 A It's a coincidence of life.

1  
2 Q I'll be honest with you, every  
3 time I go into a Brooklyn courthouse, there's  
4 a couple of names that will be on ten times  
5 on the calendar; one of them is always  
6 Rodriguez.

7 So your understanding, you came  
8 to learn that Estephani crashed her car with  
9 L.'s little brother in the vehicle?

10 A Yes.

11 Q You called CPS just to inform  
12 them that that happened?

13 A Yes.

14 Q Was there anything about the car  
15 accident that troubled you? By that, I mean,  
16 other than that happening, obviously, but  
17 what --

18 A Well, the claim before, in August  
19 of 2020, that I put in, I think it was August  
20 20th to be exact, if I'm not mistaken, or  
21 August 22nd, either or. And part of that  
22 claim was the mother driving without a  
23 driver's license, and that was my complaint.  
24 So, part of that is part of the issue.

25 Q All right.

A Yes.

A        No, I called ACS -- if I'm not mistaken, it was Albany or I just called the hotline.

A Yes.

A I made the call about, I would say, 12:00 in the afternoon, and she came by like 6:00, 6:00 in the evening.

A I'm not sure.

1  
2 Q Now, when Ms. Wilkins came to  
3 your home, when she first encountered you,  
4 what, if anything, did she say to you when  
5 she got there?

6 A She just came in and asked about  
7 the report that I put, that I submitted. And  
8 I said, yes, those claims is true, and I  
9 showed her the evidence that I had, which was  
10 the recording.

11 She questioned my child, and part  
12 of the claim that I -- the report that I put  
13 in was about an ACS worker in the past that  
14 put one of my case's claims unfounded. And  
15 I found out the reason why he was putting the  
16 cases unfounded after an appeal and he was  
17 not contacting me, and I got the real -- I  
18 wind up hearing the truth about what really  
19 was happening.

20 Q So, just to decipher what you  
21 said, you had a prior claim made against you  
22 that was ruled unfounded; is that fair?

23 A I put a claim in, they put it  
24 unfounded, yes.

25 Q I see.

1  
2                   So you made another claim that  
3 they investigated, allegedly, and it was  
4 found to be unfounded?

5           A       Yes, this was in 2018.

6           Q       Okay.

7                   That was a different case worker;  
8 not Ms. Wilkins, correct?

9           A       Yes.

10          Q       Just give me a little bit of  
11 information about what you found out. I  
12 think you alluded they found that the claim  
13 was unfounded?

14          A       I used to pick up my daughter  
15 from the maternal grandmother's house. Every  
16 time she used to get mad at her daughter,  
17 which is my daughter's mother, she would  
18 start talking.

19                   And part of her talking, one day  
20 of her being upset at her daughter, was  
21 stating that she exploded in court and told  
22 the judge that the ACS worker bribed her  
23 with, I guess, a sexual relationship for him  
24 to put the case unfounded.

25                   His phone was subpoenaed in

1 family court, and I brought that to the  
2 attention of CPS worker wilkins and her  
3 supervisor, Ms. Hobson.  
4

5 Q When you first made the initial  
6 claim in 2018 where Ms. wilkins became  
7 involved, is that the same claim you're  
8 talking about that was found unfounded or no?

9 A No.

10 Q So that was a different one?

11 A Yes.

12 Q All right.

13 Your understanding is that other  
14 claim that you made in the course of  
15 investigating it, the worker attempted to  
16 bribe your child's mother sexually; is that a  
17 fair statement?

18 A She knew what she was doing, and  
19 I guess he fell for it, and I guess that's  
20 what happened.

21 Q Well, but my point is --

22 A I don't know.

23 Q But your understanding, you  
24 learned from your child's maternal  
25 grandmother of some sort of, let's say

unprofessional relationship between the worker and your child's mother; is that a fair statement, to make it generally?

A Yes.

Q Ultimately, that claim was found unfounded, but you believe that had something to do with this relationship; is that a fair statement?

A Yes.

Q All right.

So Ms. Wilkins shows up on the 13th and started asking you about the call that you had made that day, correct?

A Yes.

Q You also started discussing -- you discussed with her that other unfounded claim during that conversation?

A Yes.

Q All right.

I presume you explained to her everything you just told me about what you believe of why the claim was unfounded; is that a fair statement too?

A Yes.



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Q Got it.

So after Ms. Wilkins had this initial conversation with you, what did she do next?

A She came to the kitchen. My mother, my sister was there, my daughter was there --

Q Let me stop you.  
What's your mother's -- just give me your mother's name.

A Ivette Rodriguez.

Q Ivette with a Y?

A With an I.

Q Your sister, what's her name?

A Lori.

Q L-O-R-I?

A L-O-R-I, Lacombe, L-A-C-O-M-B-E.

Q So your mother, your sister.  
Who else was there?

A And my daughter.

Q Your daughter, we already discussed that.

A I claimed to the ACS worker that my child has been exposed to Hennessy, you

1 know, and she spoke to -- she questioned my  
2 child, if she ever tried it, what color is  
3 it, and how you know it was. And my daughter  
4 explained it to her like, my mother gave it  
5 to me, she told me it was soda, color brown.  
6 She was explaining the questions -- like  
7 answering the questions that Ms. Wilkins was  
8 asking her, but interrogating her, and it  
9 bothered me.  
10

11 Q Okay.

12 So part of what you told  
13 Ms. Wilkins had to do with your understanding  
14 that the mother had exposed your child to  
15 Hennessy, the liquor; is that right?

16 A Yes.

17 Q So Ms. Wilkins is asking your  
18 child about specifics about Hennessy and  
19 about that allegation you made; is that a  
20 fair statement?

21 A Yes.

22 Q So she asked her, and your child  
23 explained -- did she question your child in  
24 your presence or outside of your presence at  
25 that point?

A In front of everyone's presence.

Q So that would be you, your  
sister, and your mother, correct?

A Yes.

Q What else happened besides the  
conversation about Hennessy?

A Ms. Wilkins -- well, in court,  
Ms. Wilkins claimed that my mother had to  
push me away as if I was aggressive, and I  
never showed any --

Q Hold on. Hold on. We're getting  
a little far field.

Right now, I'm asking you about  
what happened specifically on the 13th.

A Okay.

Q We'll get to what happened in the  
court after that.

A After the questionnaire, I told  
her about -- I said, you're interrogating my  
child. And she started getting loud with me,  
and I raised up my voice --

Q Ms. Wilkins?

A Ms. Wilkins, yes. I raised my  
voice, but that's how I talk, I talk loud.

So Ms. Wilkins came in and had the conversation with you at the beginning,

that you recounted for us?

A Uh-huh.

Q Did she immediately go and have a private conversation with L.?

A Right after.

Q So that was just L. and Ms. Wilkins that were privy to that conversation, correct?

A Yes.

Q How did you learn about the contents of that conversation?

A Clarify that. I'm sorry.

Q Sure.

How did you learn about what they talked about?

A I was listening to the door and see if she was asking my daughter each questions that I reported in.

Q I see.

So you actually overheard the conversation by listening through the door; is that correct?

A Yes. Yes.

Q As opposed to L. telling you this

1  
2 is what she said, you actually listened to  
3 the conversation --

4 A Yes.

5 Q Okay.

6 When you heard the conversation,  
7 well, you understand, I guess you heard her  
8 do a body search, which I presume has to do  
9 with looking for markings or signs of abuse;  
10 is that what we're talking about?

11 A Yes, that's part of the -- part  
12 of when she spoke to L., that was part of the  
13 --

14 Q Is that something that was  
15 typical when Ms. Wilkins would arrive, do a  
16 body search?

17 A Yes. When she did the second  
18 home visit, she did a second body search as  
19 well.

20 Q What I'm saying is, that was  
21 pretty much Ms. Wilkins' practice, to speak  
22 to L. and do a body search when she would  
23 visit, that's normal?

24 A Yes.

25 Q Then you heard Ms. Wilkins

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A About her being placed alone in  
ab by herself at the age of five, and  
s the 2018 claim.

Q I see.

So in November of 2020,  
Ms. Wilkins was asking about the incident  
that occurred in 2018?

A Yes, part of it.

Q Anything else that you overheard  
Ms. Wilkins question L. about?

A The car accident.

Q Was L. present for the car accident?

A        No.  She overheard it from the grandmother's -- the maternal grandmother.

Q So Ms. Wilkins was asking her questions related to the car accident, as you could understand?

A Yes.

Q Anything else of significance  
that you overheard?

A No. After I -- once I started

1  
2 hearing her, like, finish talking to her, I  
3 just stepped away from the door so I won't  
4 get caught.

5 Q Then they came out of the room,  
6 and that's when the conversation in the  
7 kitchen occurred?

8 A Yes.

9 Q All right.

10 So what about the questioning in  
11 the kitchen, for lack of a better term, upset  
12 you? Just hang on one second. And the  
13 reason I use that term is, you said you  
14 started to raise your voice and ultimately  
15 you had her leave your apartment.

16 A Yes.

17 Q What was it that bothered you,  
18 let's say, about the questioning in the  
19 kitchen specifically?

20 A I just felt like she was supposed  
21 to take my daughter into the room  
22 confidentially and ask her those questions.  
23 She interrogated my child like as my child  
24 was a criminal. My daughter was only seven  
25 years old at the time.



1  
2 Q Was it anything about the  
3 questions she was asking, was it the tone she  
4 was asking them, the --

5 A It was the whole attitude, the  
6 energy.

7 Q It came off that she was being,  
8 in your eyes, interrogated, as opposed to  
9 asked in a nicer fashion?

10 Did I sum that up right?

11 A Yes.

12 Q Ultimately, you had a verbal  
13 conversation with Ms. Wilkins that ultimately  
14 led to you nicely escorting her from the  
15 apartment.

16 Did I sum that up as well?

17 A Yes, yes. No, perfect.

18 Q So that was November 13th.  
19 What happened next?

20 A I get a phone call from  
21 Ms. Hobson, the supervisor, stating that she  
22 wanted to conduct a child safety conference.

23 Q Was that on the same day or a  
24 different day?

25 A The same day. It was going to be

1  
2 for the following week, I guess on a Tuesday,  
3 and she never conducted that child safety  
4 call.

5 Q So Ms. Hobson called and wanted  
6 to schedule a child safety conference, you  
7 said?

8 A Yes.

9 Q Had you ever experienced one of  
10 those before?

11 A No.

12 Q Did Ms. Hobson tell you where or  
13 what to expect?

14 A She just said she was going to  
15 give me a call Tuesday and we'll carry on  
16 from there. She never attempt the phone  
17 call.

18 Q After that call with Ms. Hobson,  
19 she never followed up with the conference,  
20 correct?

21 A Yes.

22 Q What was the next interaction?

23 A The next step was -- well, we  
24 kept going to court, and Ms. Hobson sent me a  
25 text message stating is it possible I could

1  
2 bring the child over for a visit for the  
3 mother, because the kid was in my temporary  
4 custody.

5 So I said, I have to get the okay  
6 from the courts first, because they was  
7 looking for Safe Horizon to manage the visits  
8 for the time being.

9 Q Hold on. I'm going to stop you  
10 there for a second.

11 You talked about going back and  
12 forth to court. Was the court proceeding  
13 initiated pursuant to this complaint that you  
14 made on the 14th of November, or was there  
15 just the ongoing custody deal with your  
16 child?

17 A It was the August claim, August  
18 2020 claim.

19 Q Right, but the August 2020 claim  
20 that -- is that the one that was unfounded?

21 A They didn't get to put it  
22 unfounded because I went and put in a  
23 petition, emergency petition, myself in  
24 person in Kings Family Court.

25 Q I think you said it was November

2018 when this started with Ms. Wilkins,  
right?

A No, 2020.

Q Oh, 2020.

A That was Daniel Sespedas. That  
was in Queens, the 2018 claim.

Q Is that the one that was marked  
unfounded that we're talking about or no?

A Yes, that's the one that had the  
relationship with my daughter's mother.

Q I see. I was just a little  
confused. I get it.

So, in 2018 is when the initial  
claim that had the male ACS worker that we  
discussed ultimately that was unfounded, but  
had a relationship with your child's mother,  
correct?

A It was -- no, the 2018 claim was  
my daughter placed alone in the cab at the  
age of five from Queens to Brooklyn, from  
mom's house to maternal grandmother's house,  
alone by herself.

Q That was November 2018?

A I don't remember. No, that was

December 2018.

Q Okay. So that was December 2018 is when you made that claim.

Is that when Ms. Wilkins became involved?

A No, that was the -- he put the case unfounded. I stopped going to court because I had temporary custody, but the child was going back to the mother due to the case being unfounded.

Q I see.

But 2018 was the claim where she was put in the cab by herself, and that's when the male ACS worker became involved?

A Yes.

Q That claim was ultimately found unfounded, but you believe that was due to an illicit relationship?

A Yes.

Q I see. All right.

Then, in August 2020 is when Ms. Wilkins started?

A Yes.

Q Just remind me again, what was



1 proceeding, was that your initial custody  
2 proceeding, was that something triggered by  
3 ACS, or something else while you were going  
4 to court?  
5

6 A I put in an emergency petition  
7 because I felt like ACS wasn't going to do  
8 anything about it.

9 Q Oh, I see. Okay.

10 So after the November 13, 2020  
11 interaction, you put in an emergency  
12 petition?

13 A No, I put in an emergency  
14 petition in August 2020.

15 Q Oh, I see. Okay.

16 So after August 2020, you put in  
17 an emergency petition, and that's what you  
18 have been going back to court about?

19 A Yes.

20 Q Was it after the August 2020  
21 complaint to ACS that you obtained temporary  
22 custody?

23 A I had temporary custody when I  
24 put in that emergency petition, yes.

25 Q That's what I'm saying.

A Yes.

Q So that petition triggered you to get temporary custody?

A Yes.

Q Before that, your child's mother had custody?

A Uh-huh.

Q That's a yes, right?

A Yes. Yes.

Q I got it.

So since August 2020 and that emergency petition, you had temporary custody of your daughter?

A Yes.

Q Just so we're perfectly clear. I know we've asked it ten times, but I just want to make sure we're --

A No, it's okay.

Q In the process of the court proceeding related to that August 2020 emergency order is what you're talking about when you said, we are going back and forth to court, correct?

A Yes.



1  
2 Q At the time, since that August  
3 2020 petition, is when Ms. Hobson and  
4 Ms. Wilkins were involved in the case with  
5 your daughter; is that also correct?

6 A Yes, from August 2020 they have  
7 been involved.

8 Q So that was a family court  
9 emergency petition?

10 A Yes.

11 Q Okay. Good.

12 So in the process, I presume ACS  
13 or CPS, or whatever acronym you want, they  
14 would show up to these court proceedings  
15 typically?

16 A No.

17 Q They would not?

18 A No, not for the August and not  
19 for the -- like toward November. When they  
20 put in the -- their hearing against me, it's  
21 when they started appearing to court.

22 Q But you said you went back and  
23 forth to court, you got a text message from  
24 Ms. Hobson.

25 A Yes.

1  
2 Q Were you talking about the court  
3 for the emergency petition or the one that  
4 instituted by ACS after the November --

5 A Emergency petition.

6 Q Okay.

7 So, at that point, ACS was not  
8 attending court?

9 A No.

10 Q So then, when Ms. Hobson sent you  
11 the text message, can you explain what she  
12 was texting you and what type of thing  
13 concerned about?

14 A No, I asked her, are you guys  
15 going to run this case to family court. And  
16 she says, it's not strong enough to bring it  
17 to family court. But when I brought it to  
18 family court and spoke to a supervisor during  
19 COVID, they took it in as an emergency  
20 petition and person, while everybody else had  
21 to do it online, due to my proof and  
22 evidence.

23 Q Is this the second emergency  
24 petition or this is the first one?

25 A That's the first one.

Q All right.

So is that the only one you filed, the one in August, the emergency petition?

A Yes.

Q At some point later, did ACS file their own court claim?

A That occurred when they did the emergency removal.

Q Right. All right. I just want to be clear where we're at.

So you're going to the court to adjudicate additionally on your claims from the emergency petition, and you've been to court a number of times from August 2020, correct?

A Yes.

Q Then, Ms. Hobson was texting you during the course of that.

Do I understand that right?

A Yes.

Q What was it that Ms. Hobson was texting you about?

A She says that she couldn't bring

1  
2 the case to court. She couldn't run the case  
3 because it wasn't strong enough.

4 Q This is -- the case you're  
5 talking about is the complaint you made in  
6 November 2020?

7 A August.

8 Q Well --

9 A That's what made me put in the  
10 emergency petition, because they wasn't  
11 helping me out.

12 Q Okay.

13 So you made -- in August of 2020  
14 is when you made a complaint to ACS?

15 A Yes.

16 Q Initially, you were texting with  
17 Ms. Hobson about whether they were going to  
18 institute a court case on it?

19 A Yes. I was trying to see if they  
20 could have pushed it in before the sixty days  
21 of determination, before they put the case --

22 Q I see.

23 So, before you filed the  
24 emergency petition, you had these text  
25 messages with Ms. Hobson?

A Repeat that again.

Q That's fine.

You filed a -- you made a claim  
to ACS in August 2020, thereabout?

A Yes.

Q Ms. Hobson and Ms. Wilkins were  
assigned to the case, correct?

A Yes.

Q Before you filed your own  
emergency petition in family court, you heard  
from Ms. Hobson by text message that she  
didn't think the case was strong enough for  
them to bring it; is that right?

A Yes.

Q That's what triggered you to file  
your own emergency petition?

A Yes.

Q That emergency petition resulted  
in you getting temporary custody of the  
child?

A Yes.

Q Okay. Very good.

So the emergency petition issue,  
is that resolved or is that still being

1 played out in court?

2 A I'm still -- we still have child  
3 custody case going on for --

4 Q That, basically, is an ongoing  
5 custody battle, we'll say, with your ex, your  
6 daughter's mother?

7 A Yes.

8 Q All right.

9 A I want to ask you a question.  
10 You want me to keep going about the text  
11 messages with --

12 Q well, yes. I'm going to ask you  
13 to make sure the record is clear.  
14 Absolutely.

15 A Okay.

16 Q So the timeline is, you filed an  
17 ACS complaint, Ms. Hobson tells you they  
18 don't think it's strong enough to bring it to  
19 court, so you brought it to court by  
20 emergency petition and got temporary custody,  
21 correct?

22 A Yes.

23 Q After that, what -- and then we  
24 talked about in November, what happened on  
25

1 November 13th and everything.

2 what else happened after that,  
3 that with the text messages or communications  
4 with ACS?  
5

6 A Okay. The text messages, she  
7 kept persisting in me bringing in the child  
8 to see the mother on the visit; but during  
9 courts, the judge or the referee didn't give  
10 the okay yet to let ACS conduct the visits.

11 So once the judge gave the okay  
12 to conduct the visits for ACS, because Safe  
13 Horizon was taking too long and the mother  
14 wanting visits, they let ACS conduct the  
15 visits for the mother. And she -- I told her  
16 I would bring the child in in the beginning  
17 of December, and she said okay.

18 So December 1st she wanted me to  
19 bring the kid in and she -- Ms. Hobson tells  
20 me that the new ACS worker is no longer --  
21 the new ACS worker is Ms. Dunn, and it's no  
22 longer Ms. Wilkins.

23 Q So sometime before December 2020,  
24 the court said it was okay for ACS to conduct  
25 the visits with the mom?

1  
2           A       In November, the ending of  
3 November.

4           Q       Right.  
5                    Before December 2020 is what I  
6 mean.

7           A       Before, yes.

8           Q       So you made arrangements for that  
9 visit, and at that time you learned from  
10 Ms. Hobbs that Ms. Dunn was now the worker,  
11 not Ms. Wilkins, correct?

12          A       Yes. Yes.

13          Q       What happened next?

14          A       She couldn't conduct a visit on  
15 -- I guess the appointment was going to be  
16 for December 1st or December 2nd. So she  
17 says bring the kid December 3rd. When I  
18 brought my kid December 3rd, Ms. Dunn was the  
19 one that retrieved my kid from my hand to  
20 conduct the visit with her, but Ms. Dunn is  
21 not -- I -- from my understanding, Ms. Dunn  
22 is not a CPS worker, she's a CPS  
23 investigator.

24          Q       Was that the last time the child  
25 was in your custody?



A Yes.

Q Where did you hand the child over to Ms. Dunn?

A At the ACS agency at West 125th Street, New York, New York.

Q That was December 3, 2020?

A December 3, 2020.

Q When you were asked to bring her over, your understanding was Ms. Dunn was the new case worker and she would be conducting a supervised visit with the child's mother; is that right?

A Yes.

Q So the child hasn't been in your custody since December 3, 2020?

A Yes.

Q So what happened after December 3, 2020?

A Well, I'm -- December 3, 2020, when I went to go pick up my child, Ms. Hobson calls me five minutes before the timing and tells me that they conducted an emergency removal. So, after, I called 911 and filed a police report against these

workers because there was no explanation.

Q Well, did they tell you the purpose, why the emergency removal was conducted?

A They didn't explain anything to me. That's why I called 911 and placed the police report.

Q So they just said, we've conducted an emergency removal and you're not getting the kid back? Maybe not in those words, but that's what they told you?

A Yes.

Q You called 911, and what happened with that?

A I placed a -- I filed a police report, and the officer which -- who's making the police report, she came back with the -- their side of the story, and part of their police report state they was going to conduct a child safety call at 10:00 a.m. from CPS worker Ms. Dunn.

Q That was for the following day?

A Yes, that was for December 4th.

Q Did that ever occur?

1  
2 A No. I actually went to the 90th  
3 Precinct, the police station by my house, and  
4 put on the records, on their books, that the  
5 CPS worker never made a phone call, the child  
6 safety call.

7 Q So after the call never happened,  
8 you went and reported that to the police as  
9 well, correct?

10 A Yes. Yes.

11 Q Now, so what happened with you  
12 after that, from a legal standpoint or court  
13 standpoint, what happened after that?

14 A They -- she put in a hearing, I  
15 guess it's called a 1028 hearing against me.

16 Q That's a hearing that you  
17 understand to be related to the emergency  
18 removal?

19 A Yes.

20 Q You had to go to court for that?

21 A Yes.

22 Q Where, what court did you go to  
23 and when?

24 A It's the same court, Kings Family  
25 Court.

1  
2 Q Do you remember what date you  
3 went?

4 A December 4th.

5 Q December 4th. So that would be  
6 the following day?

7 A Yes.

8 Q What happened at that hearing?

9 A They stated that I hit my child  
10 with a belt. It's a bunch of allegations  
11 that was said about me. And when there was  
12 no -- when we asked for --

13 Q The allegations are going to be  
14 in the court record. I don't think you need  
15 to put them here in the record at this point,  
16 especially because it's a child.

17 What was the outcome of the  
18 hearing? What did the judge decide?

19 A The judge decide to continue  
20 leaving the child where she was placed at.

21 Q Where was that?

22 A Maternal grandmother's house.

23 Q What's her name?

24 A Diana Suarez.

25 Q Do you have a relationship with

Ms. Suarez?

A No more, due to this.

Q Were you given any visitation at that point?

A No.

Q Have you gotten any visitation up until today?

A It's -- they want me to do forensic therapeutic -- I guess CCI investigation, and that's --

Q Right, but what I'm saying is, has the court --

A I'm sorry, yes, they gave me visitation.

Q So you have supervised visitation as of now?

A Yes.

Q How often does that happen?

A I didn't even start it because it's due to manipulation.

Q When was that granted?

A It was granted right after -- the supervised visits continued in -- they was going to conduct supervised visits in

1  
2 October, but they didn't --

3 Q Let me ask you this.

4 I presume it was a family judge  
5 that granted you your supervised visitations?

6 A Yes.

7 Q When did the family court judge  
8 say you're entitled to? Not when they  
9 scheduled it, when did they say you were  
10 entitled? When were you in court that they  
11 told you you could have them?

12 A From -- that would be on December  
13 10, 2020.

14 Q So, early on, they gave you the  
15 right to supervised visits, the court did?

16 A Say that again, I'm sorry.

17 Q Sure.

18 Early on, you were in court on  
19 December 4, 2020, and by December 10, 2020  
20 you were granted supervised visit rights?

21 A Yes. Yes.

22 Q Have any supervised visits  
23 occurred since December 10, 2020 with you?

24 A Yes.

25 Q How often, before it got muddled,

1  
2 how often were you seeing your child starting  
3 in December 2020?

4 A It was off and on.

5 Q How often, how was --

6 A It was supposed to be two days  
7 out the week.

8 Q So two days every week you were  
9 supposed to have supervised visits?

10 A Yes.

11 Q But that didn't happen?

12 A It was off and on. It was  
13 excuses behind it.

14 Q The excuses came from who?

15 A From -- it's -- it was coming out  
16 of Ms. Dunn's mouth, but there was -- she  
17 stated that my child was saying that she was  
18 nervous, that she was scared of seeing me or  
19 something.

20 Q I see.

21 So Ms. Dunn was relaying to you  
22 that your child was scared to see you in the  
23 visits?

24 A Yes.

25 Q What else has happened? Is that

still proceeding, that custody issue?

A No, everything is dismissed.

Q well --

A Oh, at that time?

Q well, hang on one second. Let me ask it more artfully.

So the visits didn't occur as scheduled due to the reasons you just told me.

A Yes.

Q That emergency removal proceeding at some point was dismissed?

A Yes.

Q When was that dismissed?

A August 13, 2021.

Q Despite that proceeding being dismissed, the child was not placed back in your custody?

A Yes.

Q Is the child still with the maternal grandmother?

A With the mother.

Q Now it's with the mother?

A Yes.



1  
2 Q Who made the determination that  
3 the child will go back with the mother?

4 A Ms. Dunn.

5 Q So the court didn't say that,  
6 Ms. Dunn just chose to put her back with the  
7 mother?

8 A Yeah, and she said that the  
9 mother is okay. And the judge gave the okay,  
10 since Ms. Dunn gave her the okay.

11 Q Do you know when it was that the  
12 judge gave the okay to Ms. Dunn's decision?

13 A If I'm not mistaken, it would  
14 probably be like April, May. I'm not too  
15 sure to be exact.

16 Q Of 2021?

17 A Of 2021. Maybe later.

18 Q So, just so we're perfectly  
19 clear, it was Ms. Dunn's opinion that Mom  
20 was okay, and the child could go back with  
21 Mom, and the court agreed; is that fair?

22 A Yes.

23 Q That's the family court judge?

24 A Yes.

25 Q Do you still have a custody legal

1  
2 matter going on pertaining to your child  
3 currently?

4 A Yes.

5 Q All right.

6 So that was just the -- the  
7 removal was dismissed in August 13, 2021. So  
8 that proceeding is no longer going on.

9 Are there any other court  
10 proceedings that came out of this that --

11 A They -- Ms. Dunn -- I had police  
12 knocking on my door, and it was under SVU  
13 case that Ms. Dunn put on me.

14 Q So the removal proceeding also  
15 had ACS refer you for criminal charges?

16 A Yes. Yes.

17 Q SVU means Special Victims Unit, I  
18 presume?

19 A Yes.

20 Q Were you charged?

21 A I was -- I had -- I was charged  
22 with five misdemeanors and one felony, and  
23 everything got dismissed.

24 Q Those were all child abuse  
25 related felonies and misdemeanors?

A Yes.

Q Those charges were dismissed  
when?

A Those charges were dismissed on  
September 10, 2021.

Q September?

A September.

Q All right.

So out of this emergency petition  
that you filed somewhere after August 2020,  
the emergency removal has since been  
dismissed, and the criminal charges against  
you have been dismissed, correct?

A Yes.

Q What about your emergency  
application, is that still going on in court?

A I can't clarify that because I  
don't know exactly what was done with that,  
but it's -- they put it -- I have -- I put in  
a petition for the same thing, for the same  
matters.

Q So I presume they all kind of  
merged together in the family court?

A I'm not too sure. That's why I

1 don't want to say on the record.

2 Q As of right now, you still have  
3 an active case in family court for custody of  
4 your daughter?  
5

6 A Yes.

7 Q As of now, do you have -- what  
8 kind of rights do you have to your daughter,  
9 if any, whether they're being enforced or  
10 not, what rights have --

11 A No, they want to do some  
12 supervised visits at -- with CFS.

13 Q That's something that's being  
14 handled in family court?

15 A Yeah, because they want to get to  
16 a determination already, the judge.

17 Q Let me just ask you this.

18 Now, the claim that we're talking  
19 about today, that you're filing against the  
20 City, obviously you have a lot of issues  
21 going on in a lot of different places. You  
22 know, with the family court and whatnot,  
23 specifically with your daughter and the  
24 custody issue.

25 Your claim against the City, in

1  
2 general terms, is what, if you could just sum  
3 it up?

4 A The -- what I'm claiming on?

5 Q Yes, specifically what --

6 A I'm --

7 Q I'm not trying to put you on the  
8 spot, but what I'm asking you is this.

9 You have a claim against the City  
10 of New York that's the subject of this Notice  
11 of Claim.

12 Can you just tell me, just  
13 briefly, how it is you believe the City acted  
14 improperly?

15 A Well, I was treated  
16 unprofessionally, and I was feeling like I  
17 was being abused by things that were being  
18 made up about me.

19 Q That's on the part of who?

20 A That's on the part of Ms. Dunn,  
21 Ms. Hobson, and Ms. Wilkins.

22 Q So ACS --

23 A The foundation is Daniel  
24 Sespedas.

25 Q So you're -- I just want to

1 narrow it down so I could report it properly.

2 Your claim against the City is  
3 that ACS acted improperly with respect to  
4 your particular case?  
5

6 A Yes, to my -- with my rights as  
7 well, yes.

8 Q I got you.

9 Have you paid any money  
10 out-of-pocket related to your claim against  
11 the City?

12 A I didn't really -- I didn't -- I  
13 paid the attorney, I paid the record attorney.

14 Q Hold on.

15 How much money did you pay the  
16 attorney specifically related to the ACS  
17 claim against the City, about?

18 A About 2,500 I think it was. No,  
19 3,000 I'm sorry.

20 Q So you paid about \$3,000 in  
21 attorney's fees?

22 A Yes.

23 Q Any other out-of-pocket outlay  
24 related to your claim against the City?

25 A Well, the most of the -- the pain

1  
2 and suffering comes from the potential that  
3 my daughter -- that she lost on her --

4 Q I'll get to that.

5 A Okay. All right.

6 Q This claim is on your behalf, not  
7 your daughter's, right?

8 A Yes.

9 Q So for the pain and suffering, I  
10 presume -- did you have any physical injuries  
11 or are we talking about emotional?

12 A I know how to control myself, you  
13 know, and I didn't need anyone to help me or  
14 guide through this process with me because I  
15 have common sense. So I just caught onto  
16 everything, and I just knew this was --

17 Q I'm just trying to assess the  
18 level of damages you're claiming. Again, I  
19 can't get into legal advice with you, but  
20 you're claiming you were wronged and you  
21 claim you're being damaged, so I am just  
22 trying to get to that portion of it, the  
23 damaged part.

24 What I want to know is, did you  
25 have any physical injuries, like bruising,

1  
2 broken arms, or something that you went for  
3 medical treatment?

4 A Oh, no.

5 Q Got it.

6 Did you have any emotional  
7 injuries; anxiety, stress, depression, that  
8 kind of thing?

9 A Yes, all of the above.

10 Q Got it.

11 Have you sought any treatment for  
12 any of those emotional injuries up until this  
13 point?

14 A I usually conversate with friends  
15 and all that, my problems; so, family.

16 Q Did you have any formal  
17 treatment? And the reason I ask you that, if  
18 you did, obviously, the City is going to want  
19 records of who you saw.

20 Did you see anyone --

21 A No, I didn't see anyone  
22 professional, no.

23 Q Those emotional issues are ongoing,  
24 I presume, due to the nature of this case?

25 A Yes, I guess.



Q Okay. All right.

I have to ask you this. It may not apply to your case, but I ask it of everyone.

Do you get Medicaid or Medicare yourself, sir?

A I get Medicaid, UnitedHealthcare.

Q Have they paid anything on your behalf so far for this incident?

A No. No.

Q All right. That's really all I have for you. I do appreciate it. I am sorry that you are in the position you're in. I wish you the best of luck. Thank you for answering my questions.

And I get it, it's an emotional thing for you, I really do. I apologize if this affected you.

A I missed out on two birthdays and two Christmases with my child behind this interference with ACS, yes.

Q Understood. I do. I do. You know, I wish you luck in the family court case and all that stuff.

1  
2 Like I said, I conduct the  
3 hearing, I report back to the comptroller  
4 and, you know, they will do what they are  
5 going to do from there. I sincerely  
6 appreciate you answering my questions.

7 A Can I say anything?

8 Q Sure. Go ahead.

9 A Okay.

10 During the time of the case of  
11 the hearing, I requested records from Albany.  
12 And the records from Albany, they sent me  
13 Michael Landers, which is the little boy's  
14 father's records. And there was the point  
15 where I noticed that Daniel Sespedas tampered  
16 the records which was -- the pattern was  
17 intake, investigation, intake, investigation.

18 My case number is -- which I have  
19 the case letters, it's under intake, intake  
20 and investigation. Investigation is under  
21 Michael Landers' numbers, which he duplicated  
22 the case to put the case unfounded for her,  
23 and the report is not on -- it is not on the  
24 records.

25 So the second time I called,

1 because I told them I misplaced Michael  
2 Landers, which was my records that I  
3 requested the first time, and they sent me  
4 Estephani Rodriguez records ACS Albany. But  
5 they don't have no records for me, I guess  
6 since I asked about the records twice and  
7 they sent me Michael Landers and Estephani  
8 confidentially.  
9

10 Q I understand.

11 well, I'm going to suggest to you  
12 that the records you did receive, you  
13 preserve them, you know, save them. Don't  
14 have them destroyed. At some point, I  
15 imagine the City is going to ask to see those  
16 things.

17 And, you know, from there, I  
18 can't advise you how to go any further, but  
19 all I can ask you to do is preserve any  
20 evidence which would include the records that  
21 you got, any recordings that you alluded to  
22 that you made, you know, all that stuff.  
23 Save it.

24 A One more before we cut this off.

25 The -- I have a recording, I was

1  
2 recording Ms. Dunn, and part of the recording  
3 is -- she stated that my daughter woke up  
4 with diarrhea and she pooped on her way to  
5 the visit, and I got documented behind that.

6 And on the next visit, I  
7 questioned my child. I asked her, did you  
8 poop on yourself, and she was clueless about  
9 it and she didn't. I have both recordings of  
10 Ms. Dunn stating that she spoke to my child,  
11 and she believes my child because she spoke  
12 to her. And when I spoke to my child --  
13 because I know my child was eight years old,  
14 I said, my daughter didn't poop on herself,  
15 and I have the recording of my daughter  
16 saying no, with no ideas, and as well as  
17 being intersected. She intersected a visit  
18 one time, and I have the whole recording, the  
19 visit recording as well.

20 Q I understand, I appreciate that.  
21 Again, I'm not the adjudicator of this case.  
22 You know that. You know, I'm just here to  
23 find out the facts about the claim you're  
24 making against the City. I got those, I  
25 appreciate that.

1 All I could advise you to do is  
2 preserve those things. You know, do  
3 everything you can to make sure they are not  
4 destroyed or lost, because it's like that  
5 they're going to be germane to your case.

6 A One last thing. I brought it to  
7 the Department of Investigations attention  
8 down at 180 Maiden Lane, and I gave them all  
9 the information on this case too, as well.

10 Q The Department of Investigations,  
11 you made a complaint against ACS, I presume?  
12 Is that what you're talking about?

13 A Yes.

14 Q Okay. You provided them a lot of  
15 the information, if not all of it, that we  
16 just discussed, correct?

17 A I gave them everything that I had.

18 Q All right. So they opened a file  
19 against them, to your understanding?

20 A Yes.

21 Q Have they followed up with you on  
22 it since your initial report so far?

23 A They told me it's confidential.  
24 That, you know, eventually, they'll get in  
25

contact with you to get the results --

Q That's what I'm saying.

Have they followed up with you  
with any --

A No.

Q -- resolution?

A Not yet.

Q Very good. Okay.

Thank you so much, Mr. Rodriguez.  
I appreciate your candid nature. I  
appreciate that.

A Thank you.

-o0o-

(Whereupon, the examination of  
Joshua Rodriguez was concluded at 9:58  
a.m.)

\_\_\_\_\_  
JOSHUA Rodriguez

Subscribed and sworn to  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2022

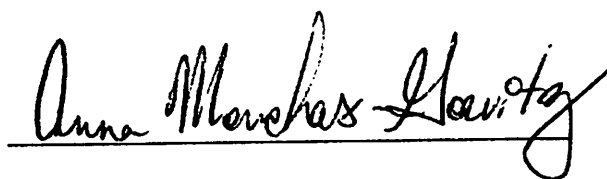
\_\_\_\_\_  
NOTARY PUBLIC

C E R T I F I C A T E

I, Anna Monchas-Gorvitz, a reporter and Notary Public within and for the State of New York, do hereby certify:

That the witness(es) whose testimony is hereinbefore set forth was duly sworn by me, and the foregoing transcript is a true record of the testimony given by such witness(es).

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script, reading "Anna Monchas-Gorvitz", written over a horizontal line.

ANNA MONCHAS-GORVITZ

# **EXHIBIT R**



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ERRATA SHEET

The following are my corrections to the  
attached transcript:

<u>PAGE</u>	<u>LINE</u>	<u>SHOULD READ</u>
_____	*	_____
_____	*	_____
_____	*	_____
_____	*	See Attachments.
_____	*	_____
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# Errata Sheet:

Page: 4 Line: 16

Pursuant to the claim number 2021PI031685, Joshua

Page: 9 Line: 22

The Foundation

Page: 9 Line: 23

Starts from 2018, but what triggered

Page: 9 Line: 24

The problem was on November of 2020

Page: 10 Line: 13

My child, she questioned my daughter while I was

Page: 13 Line: 7

The 13th of November 2020, Do you know if

Page: 14 Line: 19

The Day was, November

Page: 14 Line: 25

It was about my

Page: 15 Line: 2

Daughter's mother, she crashed her car. My

Page: 15 Line: 5

Explained to my mother, which I have the recording

Page: 15 Line: 6

Of the car accident also a Re-File from 2018

Page: 15 Line: 15

Yes

Page: 15 Line: 21

Same thing Rodriguez

Page: 20 Line: 9

No Daniel Cespedes was assigned in 2018, Ms. Wilkins was assigned in 2020

Page: 25 Line: 2

I told her, you guys are no help

Page: 27 Line: 13  
Procedure

Page: 32 Line: 14  
Made on the 13th of November, or was there

Page: 33 Line: 6  
That was Daniel Cespedes that

Page: 33 Line: 19  
It was yes, the 2018 Claim was

Page: 34 Line: 7  
No that was Daniel Cespedes that put the

Page: 35 Line: 7  
Without No License, she didn't have the hazard

Page: 41 Line: 21  
Of Determination, before they put the Case Unfounded

Page: 49 Line: 12  
No photos when we asked and Medical Records

Page: 52 Line: 24  
Yes but Ms. Dunn was making excuses

Page: 53 Line: 20  
No

Page: 54 Line: 17  
Yes 2021

Page: 58 Line: 21  
Ms. Hobson, Ms. Wilkins, NYPD (SVU), and the District Attorney Office.

Page: 58 Line: 24  
Cespedes

Page: 59 Line: 12  
I did I've

Page: 59 Line: 13  
Paid an Attorney, I paid a Private Attorney

Page: 60 Line: 16  
Everything, and I knew this was all made up

Page: 61 Line: 15  
And all that, my problems.

Page: 65 Line: 17  
A Visit being Interjected. She Interjected a Visit.

# EXHIBIT S



**Office of Children  
and Family Services**

KATHY HOCHUL  
Governor

SHIELA J. POOLE  
Acting Commissioner

August 17, 2022

JOSHUA RODRIGUEZ  
811 FLUSHING AVENUE APT. 16D  
BROOKLYN, NY 11206

**NOTICE OF VIDEO APPEARANCE**

Re: Child Abuse or Maltreatment Appearance  
SCR Case ID: 26989943  
Hearing ID: 119588  
Intake Stage ID: 33360442  
Oral Report Date: 12/3/2020

Dear JOSHUA RODRIGUEZ:

In response to your request for the expungement or amendment of the above-referenced indicated report(s) on file with the New York Statewide Central Register of Child Abuse and Maltreatment (State Central Register), you have been scheduled to appear:

**October 18, 2022 at 9:30am**  
**Location: <https://meetny.webex/meet/rantideva.sinhg3>**  
**Judge: Rantideva Singh**

This appearance will be a video conference only. The full hearing will not be conducted on this date. However, you must appear or you will lose your right to challenge your indicated finding.

On the day and time of your conference you will need to use the above link to join the Webex video hearing room.

If a settlement is not possible, the Agency attorney will mail you copies of the documents that Agency may submit as evidence at your hearing and discuss the witnesses Agency intends to call on its behalf. You will also be required to provide Agency with the evidence you intend to introduce at the hearing in advance. Please fax or mail any documents you want the ALJ to consider as your evidence to the ALJ and the Agency attorney and tell the Agency attorney the witnesses who will be testifying on your behalf.

**If you do not appear at the conference, you will be deemed to be in default.** If you have technical difficulties at the time of the conference please call the main office number at 212-961-4408 **AND** email a description of your technical difficulties to [ocfs.sm.legalaffairs.14thbsh@ocfs.ny.gov](mailto:ocfs.sm.legalaffairs.14thbsh@ocfs.ny.gov). If you do not appear in the virtual hearing room, **and you fail to contact us at the time of the hearing to report technical difficulties**, you will be deemed to be in default which means you will lose your right to a hearing and the report will remain indicated.

Adjournment requests and hearing withdrawals must be in writing, signed, and emailed to [ocfs.sm.legalaffairs.14thbsh@ocfs.ny.gov](mailto:ocfs.sm.legalaffairs.14thbsh@ocfs.ny.gov) or faxed to 212-961-5898 or sent to:

New York State Office of Children & Family Services  
Bureau of Special Hearings  
163 West 125<sup>th</sup> Street, 14<sup>th</sup> floor  
New York, New York 10027  
ATTN: ALJ Rantideva Singh

Adjournment requests made less than five days prior to the scheduled date of the hearing will not be granted except in extraordinary circumstances.

You have the right to hire an attorney or bring someone with you to help you at the hearing. If you want legal assistance and cannot afford a lawyer, you may be able to obtain free legal assistance by contacting your local legal aid organization. However, this office will not provide an attorney to represent you, nor pay for an attorney you may choose to retain.

Sincerely,

John Franklin Udochi  
Supervising Administrative Law Judge

Gc: Wendy Lattibeaudiere, Esq.  
Recky Wood-Hulbert  
Rantideva Singh



**Office of Children  
and Family Services**

**KATHY HOCCHUL**  
Governor

**SHEILA J. POOLE**  
Commissioner

October 18, 2022.

Joshua Rodriguez  
811 Flushing Avenue Apt. 16D  
Brooklyn, NY 11206  
[Hypebeast1204@icloud.com](mailto:Hypebeast1204@icloud.com)

**NOTICE OF VIDEO APPEARANCE**

Re: Child Abuse or Maltreatment Appearance  
SCR Case ID: 26989943  
Hearing ID: 119588  
Intake Stage ID: 33360442  
Oral Report Date: 12/03/2020

Dear Joshua Rodriguez;

Please be advised that this hearing will be conducted with the use of videoconferencing technology whereby the parties and the Administrative Law Judge appear remotely by video. In response to your request for the expungement or amendment of a report in the New York State Central Register of Child Abuse and Maltreatment (State Central Register), a video hearing will be held through WebEx on:

**January 26, 2023 at 10:00 AM**

**Judge: Rantideva Singh**

**Location: <https://meetny.webex.com/meet/rantideva.singh3>**

**On the day and time of your hearing, click the link above or copy and paste it in a browser window on any device that has a camera. This will direct you to the hearing room.**

**Adjournments:**

If you are not able to appear on the above scheduled date and time and wish to have the matter moved to a future date, please call 212-961-4408 and explain the reason or email the office at [ocfs.sm.legalaffairs.14thbsh@ocfs.ny.gov](mailto:ocfs.sm.legalaffairs.14thbsh@ocfs.ny.gov). You may also send a fax or send a letter to the office. For your request for a new date to be considered, you must also write and request a new date for your hearing and explain the reason you need the date moved. Please include a copy of the first page of this letter. Your letter should be sent no later than five days prior to the scheduled hearing date.



**Defaults:**

**If you do not appear in the virtual hearing room at the above date and time and you fail to contact us at the time of the hearing to report a technical difficulty OR have not requested an adjournment in advance, you will be deemed to be in default which means you will lose your right to a hearing and the report will remain indicated in the State Central Register.** If you have technical difficulties at the time of the hearing please call the call-in number in your WebEx email invitation or the main office number at 212-961-4408 **AND** email a description of your technical difficulties to [ocfs.sm.legalaffairs.14thbsh@ocfs.ny.gov](mailto:ocfs.sm.legalaffairs.14thbsh@ocfs.ny.gov)

**Withdrawal:**

If you wish to withdraw your request for a hearing you need to do so in writing prior to the scheduled date or do so orally on the record at the hearing. Please note that a withdrawal of your request will result in the indicated report(s) remaining on file with the State Central Register. If you withdraw your request to have a hearing, the existence of the report(s) will be disclosed to licensing and provider agencies authorized to inquire pursuant to Section 424-a of the Social Services Law.

**Any written response to this letter such as a request to adjourn the matter, or withdrawing your request for a hearing should be emailed to [ocfs.sm.legalaffairs.14thbsh@ocfs.ny.gov](mailto:ocfs.sm.legalaffairs.14thbsh@ocfs.ny.gov) , faxed to 212-961-5898 or mailed to:**

**Office of Children and Family Services**

Bureau of Special Hearings  
163 West 125th Street, 14th Fl  
New York, NY 10027

**Submission of Evidence:**

At the hearing, you have a right to ask the Administrative Law Judge to consider your documents as evidence and have people testify on your behalf. Please provide any and all documents that you will be asking the Administrative Law Judge to consider as evidence in advance of the hearing. You can email all the document to [ocfs.sm.legalaffairs.14thbsh@ocfs.ny.gov](mailto:ocfs.sm.legalaffairs.14thbsh@ocfs.ny.gov) , fax them to 212-961-5898 or mail them to the address above. Please send all the documents at the same time to avoid documents being separated. You also have the right to ask questions of the witnesses who testify against you, and to challenge the documents being asked by the other side to be considered by the Administrative Law Judge at the hearing. You must provide all documentary evidence sufficiently prior to the hearing to allow adequate review by the opposing party. Failure to submit your evidence in a timely manner may result in an adjournment of your hearing.

**Right to Counsel:**

You have the right to hire an attorney or bring someone with you to help you at the hearing. If you need legal assistance and cannot afford a lawyer, you may be able to obtain free legal assistance by contacting your local legal aid organization. However, this office will not appoint or provide an attorney to represent you, nor pay for an attorney you may choose to retain.

**Issues to be Determined:**

The issues to be decided at the hearing are: (a) whether the alleged act or acts of child abuse or maltreatment were done by you, and (b) if so, whether such act or acts are relevant and reasonably related to

employment by a child care agency, to the adoption of children or to the provision of foster care. See Social Services Law Sections 422(8) and 424-a, Valmonte v. Bane, 18 F.3d 992 (2nd Cir. 1994), and Lee "TT" v. Dowling, 87 N.Y.2d 699, 642 N.Y.S.2d 181 (1996).

For reports received by the Central Register prior to February 12, 1996, if it is decided that child abuse or maltreatment was not committed, the report will be expunged. For reports received by the Central Register on or after February 12, 1996, if it is decided that child abuse or maltreatment was not committed, the report will be amended to reflect that decision and the report will be sealed.

Sincerely,

Rantideva Singh  
Administrative Law Judge

cc: John Lalindez (ACS)  
Joshua Rodriguez (Appellant)

# **EXHIBIT S1**

**STATE OF NEW YORK  
OFFICE OF CHILDREN AND FAMILY SERVICES**

In the Matter of the Appeal of

**JOSHUA RODRIGUEZ**

Pursuant to Title 6 of the Social Services Law

**DECISION**

**HID#:119588**

**Before:**

Mary Pat Walsh  
Administrative Law Judge

**Scheduled for:**

January 26, 2023 (via WebEx video)

**Parties:**

New York State Central Register of  
Child Abuse and Maltreatment  
P.O. Box 4480  
Albany, New York 12204  
Documents submitted in lieu of appearance.

New York City Administration for Children's Services  
150 William Street, Room 50-d  
New York, NY 10038  
By: John LaLindez, Esq.

Joshua Rodriguez, Pro Se Appellant  
811 Flushing Avenue Apt. 16d  
Brooklyn, NY 11206

### **JURISDICTION**

The New York State Central Register of Child Abuse and Maltreatment (the Central Register) maintains a report indicating Joshua Rodriguez (the Appellant) for abuse and/or maltreatment. The Appellant requested that the Central Register amend the report. The Central Register did not do so, and a hearing was then scheduled in accordance with the requirements of Social Services Law (SSL) § 422(8)(b) (i).

### **FINDINGS OF FACT**

An opportunity to be heard having been afforded the parties and evidence having been considered, it is hereby found:

1. The Central Register contains an "indicated" report (SCR Case Id#: 26989943, Intake Stage Id#: 33360442, dated 12/3/2020) of abuse and/or maltreatment by the Appellant.
2. The report was investigated by the New York City Administration for Children's Services (the Agency).
3. Upon completing their investigation, the report was indicated by the Agency against the Appellant for child abuse and/or maltreatment.
4. The Agency's representative advised the Administrative Law Judge via email on 1/26/2023 that it was not presenting any evidence in support of the indicated report.
5. The Agency has the burden to prove the allegation or allegations against the Appellant. Because the Agency is not offering any proof they do not meet their burden, the hearing is canceled, and the Appellant will prevail in this proceeding. The record of the report will be amended in a manner favorable to the Appellant. This is the same outcome that the Appellant would have had if the Appellant won their case after a full hearing.

### **ISSUES**

Is the report of child abuse and/or maltreatment by the Appellant supported by a fair preponderance of the evidence?

If such acts are established, are such acts currently relevant and reasonably related to employment in childcare or to the provision of foster or adoptive care by the Appellant?

### **DISCUSSION**

The Agency did not prove by a fair preponderance of the evidence that the Appellant committed the abuse and/or maltreatment alleged. Because the report will be amended there is no further action required of the Appellant. The greatest relief available to the Appellant is granted.

The Central Register submitted by mail copies of the documents it maintains in connection with this matter (State Exhibit 1), however because no hearing will be held, that submission will not be considered.

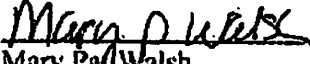
Because the Agency did not meet its burden of proving by a fair preponderance of the evidence that the Appellant committed the abuse and/or maltreatment alleged, the record of the report will be amended to unfounded and sealed.

**DECISION:**

Abuse and/or maltreatment by Joshua Rodriguez has not been established by a fair preponderance of the evidence. The State Central Register and the Agency are directed to amend to unfounded and seal the report (SCR Case Id#: 26989943, Intake Stage Id#: 33360442, dated 12/3/2020) and to take the actions required by SSL § 422(9).

This decision is made by Mary Pat Walsh, Bureau of Special Hearings, who has been designated by the Commissioner to make such decisions.

**DATED:** New York, New York  
February 6, 2023

  
Mary Pat Walsh  
Bureau of Special Hearings



**John A LaLindez**

To: Mary Cc: Joshua >

1/26/23



## JR HID: 119588

Good Morning Judge Walsh,

RE:        SCR# 26989943  
              HID: 119588  
              Intake Stage ID: 33360442  
              ORT: 12/03/2020

ACS is settling the above matter by way of no evidence.

Thank you,

John A. LaLindez (he/him/his) | **Assistant Supervising Attorney**

Office of the General Counsel

Fair Hearings & Compliance Unit

**NYC Administration for Children's Services**

150 William Street, 15th Floor | New York, NY 10038

P: 212.341.0922 C: 347.415.7880

**NYC Children**



**Mary pat Walsh**

1/26/23

To: John Cc: Joshua >



As the matter has been resolved fully in favor of the Appellant, no further appearances will be required.

A Decision favorable to the Appellant will be issued.

Mary Pat Walsh  
Administrative Law Judge  
Bureau of Special Hearings  
Office of Children and Family Services  
State Office Building  
333 E. Washington St. Room 134  
Syracuse, NY 13202  
315-426-2149





**Office of Children  
and Family Services**

**KATHY HOCHUL**  
Governor

**SUZANNE MILES-GUSTAVE, ESQ.**  
Acting Commissioner

February 15, 2023

Joshua Rodriguez  
811 Flushing Ave. Apt. 16D  
Brooklyn, NY 11206

RE: State Central Register Report of Maltreatment  
Hearing ID#: 119588

Dear Mr. Rodriguez,

Enclosed please find documents you provided to my office concerning the above matter. Because the Agency did not contest your request to have the report amended and offered no evidence, the matter was resolved in your favor without the necessity of a hearing.

This office has not retained any of the enclosed documents, as the matter was resolved without a hearing.

Sincerely,

Mary Pat Walsh  
Hearing Officer

Encs: All Documents provided by Appellant

# **EXHIBIT T**



**Office of Children  
and Family Services**

KATHY HOCHUL  
Governor

SUZANNE MILES-GUSTAVE, ESQ.  
Acting Commissioner

7/17/2023

Joshua Rodriguez  
811 Flushing Avenue Apt. 16D  
Brooklyn, New York 11206

Dear Mr. Rodriguez,

The New York State Office of Children and Family Services (OCFS), New York City Regional Office (NYCRO) is in receipt of your correspondence. Your correspondence reflected concerns related to unprofessional conduct by Child Protective Specialist and an error in the date of birth of the mother in ACS case records.

The NYCRO would like to inform you that OCFS does not have the jurisdictional authority to discipline ACS staff as ACS disciplines its own staff. The NYCRO recommends you contact the ACS Office of Advocacy Parents and Children's Rights Unit (PCRU) at (212) 676-9421. The PCRU receives calls and in-person inquiries from parents and other concerned parties who have concerns related to a child welfare case. One of the issues they address are clarification of child welfare procedures. You may also contact the ACS Brooklyn Borough Commissioner, Rodney Jackson at (718) 623-4975 or ACS Commissioner at (212) 341-0900.

Regarding the neglect petition, a correction of the mother's date of birth may be made by informing your attorney of your concern and requesting a correction be made in Family Court. If you do not have an attorney, the following web address: [www.nycourthelp.gov](http://www.nycourthelp.gov) may be of assistance in obtaining an attorney and discussing your legal options.

Thank you for bringing this matter to our attention.

Sincerely,

Jennifer Verna  
Children and Family Services Specialist I  
New York City Regional Office  
163 West 125th St.  
New York, N.Y. 10027

# EXHIBIT U

SUPREME COURT OF THE CITY OF NEW YORK  
COUNTY OF KINGS: DV-FC

THE PEOPLE OF THE STATE OF NEW YORK

-against-

JOSHUA RODRIGUEZ,

DEFENDANT.

AFFIDAVIT OF SWEARABILITY

DOCKET NO.: CR-000541-21KN

STATE OF NEW YORK     )  
                                  )ss.:  
COUNTY OF KINGS     )

I, ASSISTANT DISTRICT ATTORNEY MEREDITH ABRAMS, OF THE KINGS COUNTY DISTRICT ATTORNEY'S OFFICE, DID INTERVIEW THE COMPLAINANT, L [REDACTED] R [REDACTED], DATE OF BIRTH 12/27/2012, AND FOUND THE COMPLAINANT TO BE SWEARABLE, IN THAT THE COMPLAINANT UNDERSTANDS THE NATURE AND IMPORTANCE OF THE OATH TO BE SWORN AND IS CAPABLE OF GIVING EVIDENCE IN A COURT OF LAW.

FALSE STATEMENTS MADE IN THIS  
DOCUMENT ARE PUNISHABLE AS A CLASS A  
MISDEMEANOR PURSUANT TO SECTION  
210.45 OF THE PENAL LAW.

1/29/2021

DATE

*Meredith Abrams*

SIGNATURE

DATE: 10/10/1964  
TO: DIRECTOR, FBI  
FROM: SAC, NEW YORK (100-157114)

RE: JAMES EARL RAY, AKA  
FUGITIVE; ALLEGED ASSASSIN OF  
DR. MARTIN LUTHER KING, JR.  
MURDER OF DR. MARTIN LUTHER KING, JR., 4/4/68

ON 10/9/64, THE NEW YORK OFFICE OF THE  
FEDERAL BUREAU OF INVESTIGATION (NYO) ADVISED  
THAT IT HAD RECEIVED INFORMATION THAT A  
PERSON IDENTIFYING HIMSELF AS [REDACTED] HAD  
CONTACTED THE NEW YORK OFFICE OF THE  
FEDERAL BUREAU OF INVESTIGATION (NYO) AND  
STATED THAT HE HAD INFORMATION CONCERNING  
THE FUGITIVE, JAMES EARL RAY.

NYO IS ATTEMPTING TO  
LOCATE [REDACTED] AT THIS TIME.

NYO WILL ADVISE BUREAU  
OF ANY DEVELOPMENTS.

THE BUREAU OF INVESTIGATION, NEW YORK

COPIES OF THIS REPORT WILL BE  
FURNISHED TO THE NEW YORK OFFICE OF THE  
FEDERAL BUREAU OF INVESTIGATION (NYO).

# **EXHIBIT U1**

THE PEOPLE OF THE STATE OF NEW YORK

DOCKET NO. CR-000541-21KN

1/27/21 L. [REDACTED] R. [REDACTED]  
DATE SIGNATURE





# **EXHIBIT V**

Search by Officer Name or Badge Number

enter name or badge #

Search

## Delcar S. Savage

Badge #5757, Hispanic Female

Former Detective Grade 3 at Bronx Special  
Victims Squad

Also served at Special Victims Division Zone 3,  
103rd Precinct, 113th Precinct, Narcotics

Borough Queens North

Service started January 2007, ended October  
2021, Tax #943021

### **Substantiated Allegations:**

Abuse of Authority: Frisk

Abuse of Authority: Search (of person)  
(2)

Abuse of Authority: Vehicle search

## Complaints

6 Complaints

# Complaints

- 6 Complaints
- 12 Allegations
- 4 Substantiated
  
- 3 Substantiated (Command Discipline B)
- 1 Substantiated (Formalized Training)
- 1 Alleged Victim Uncooperative
- 1 Complainant Uncooperative
- 1 Exonerated
- 3 Miscellaneous - Subject Terminated
- 2 Unsubstantiated

## **Complaint #201805027, March 2018**

**Allegation:** Abuse of Authority: Threat to  
notify ACS

**CCRB** Complainant Uncooperative

**Conclusion:**

additional details

## **Complaint #201506493, August 2015**

**Allegation:** Abuse of Authority: Search  
(of person)

**Complainant:** Hispanic Female, 39

**CCRB** Substantiated (Formalized

**Complaint #201805027, March 2018**

**Allegation:** Abuse of Authority: Threat to  
notify ACS

**CCRB** Complainant Uncooperative

**Conclusion:**

additional details

**Complaint #201506493, August 2015**

**Allegation:** Abuse of Authority: Search  
(of person)

**Complainant:** Hispanic Female, 39

**CCRB** Substantiated (Formalized

**Conclusion:** Training)

**Penalty:** Formalized Training

additional details

**Complaint #201506377, August 2015**

**Allegation:** Force: Gun Pointed

**Complainant:** Black Male, 43

**CCRB** Alleged Victim

**Conclusion:** Uncooperative

**Documents:** Complaint Closing Report

additional details

**Documents:** Complaint Closing Report  
additional details

**Complaint #201506484, July 2015**

**Allegation:** Abuse of Authority: Frisk

**Complainant:** Black Female, 53

**CCRB** Substantiated (Command  
**Conclusion:** Discipline B)

---

**Allegation:** Abuse of Authority: Search  
(of person)

**Complainant:** Black Female, 53

**CCRB** Substantiated (Command  
**Conclusion:** Discipline B)

---

**Allegation:** Abuse of Authority: Vehicle  
search

**Complainant:** Black Female, 53

**CCRB** Substantiated (Command  
**Conclusion:** Discipline B)

---

**Allegation:** Abuse of Authority: Vehicle  
stop

**Complainant:** Black Female, 53

**CCRB** Unsubstantiated  
**Conclusion:**

**NYPD** No Disciplinary Action-DUP

**CCRB** Unsubstantiated

**Conclusion:**

**NYPD** No Disciplinary Action-DUP

**Conclusion:**

**Penalty:** No penalty

additional details

**Complaint #200902022, February 2009**

**Allegation:** Force: Pepper spray

**Complainant:** Black Female, 56

**CCRB** Miscellaneous - Subject

**Conclusion:** Terminated

**Allegation:** Abuse of Authority:  
Premises entered and/or  
searched

**CCRB** Miscellaneous - Subject

**Conclusion:** Terminated

**Allegation:** Force: Nightstick as club  
(incl asp & baton)

**Complainant:** Black Female, 56

**CCRB** Miscellaneous - Subject

**Conclusion:** Terminated

additional details

**Complaint #200804851 March 2008**

**Complainant:** Black Female, 56

**CCRB** Miscellaneous - Subject

**Conclusion:** Terminated

additional details

**Complaint #200804851, March 2008**

**Allegation:** Discourtesy: Word

**Complainant:** Black Female, 23

**CCRB Conclusion:** Unsubstantiated

---

**Allegation:** Force: Physical force

**Complainant:** Black Female, 23

**CCRB Conclusion:** Exonerated

additional details

**Conclusion Meanings:**

**'Exonerated':** or 'Within NYPD Guidelines' - the alleged conduct occurred but did not violate the NYPD's own rules, which often give officers significant discretion.

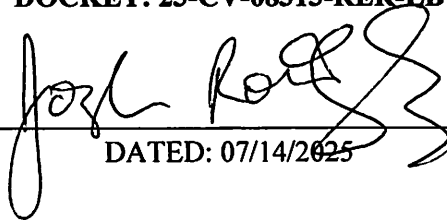
**'Substantiated':** The alleged conduct occurred and it violated the rules. The NYPD has discretion over what, if any, discipline is imposed.

**'Unsubstantiated':** or 'Unable to Determine' - CCRB has fully investigated but could not affirmatively conclude both that the conduct



**JOSHUA RODRIGUEZ**  
**PLAINTIFF *PRO SE***  
**811 FLUSHING AVENUE APT. 16D**  
**BROOKLYN, N.Y. 11206**  
**TEL: 646-975-8838**

**DOCKET: 23-CV-08313-RER-LB**

  
DATED: 07/14/2025

To:

Inna Shapovalova  
*Senior Counsel*  
New York City Law Department  
100 Church Street  
New York, NY 10007  
(212)-356-2656  
[inshapov@law.nyc.gov](mailto:inshapov@law.nyc.gov)

Alfred Miller Jr.  
Senior Counsel, General Litigation Division  
NYC Law Department  
100 Church Street  
New York, N.Y. 10007  
(212)-356-2392  
[alfmille@law.nyc.gov](mailto:alfmille@law.nyc.gov)